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ESTABLISHED 1768

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Distillers of Pure

**Essential Oils**

Soap Makers' and

Perfumers' Materials

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IS THE REASON WHY

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## FINE ESSENTIAL OILS,

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and Specialties in

PERFUMERS' AND TOILET SOAP MAKERS'  
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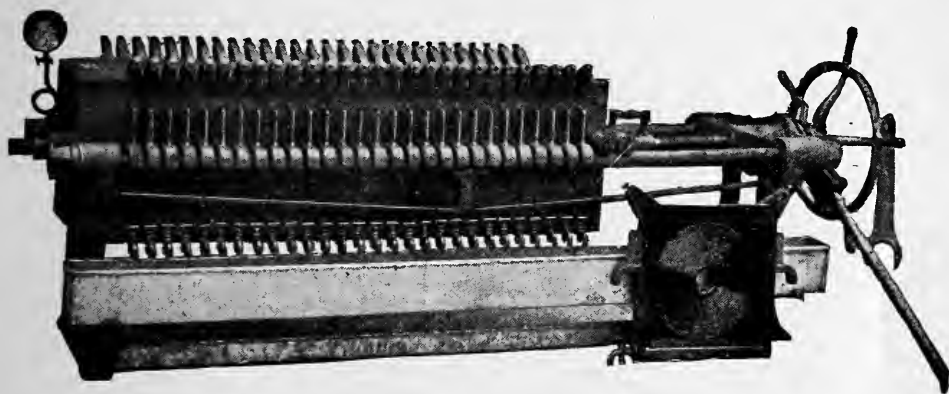
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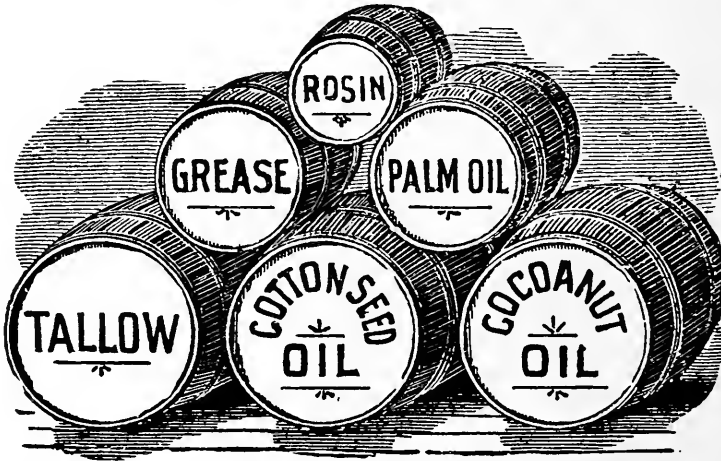
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**GREEN OLIVE OIL FOODS.**

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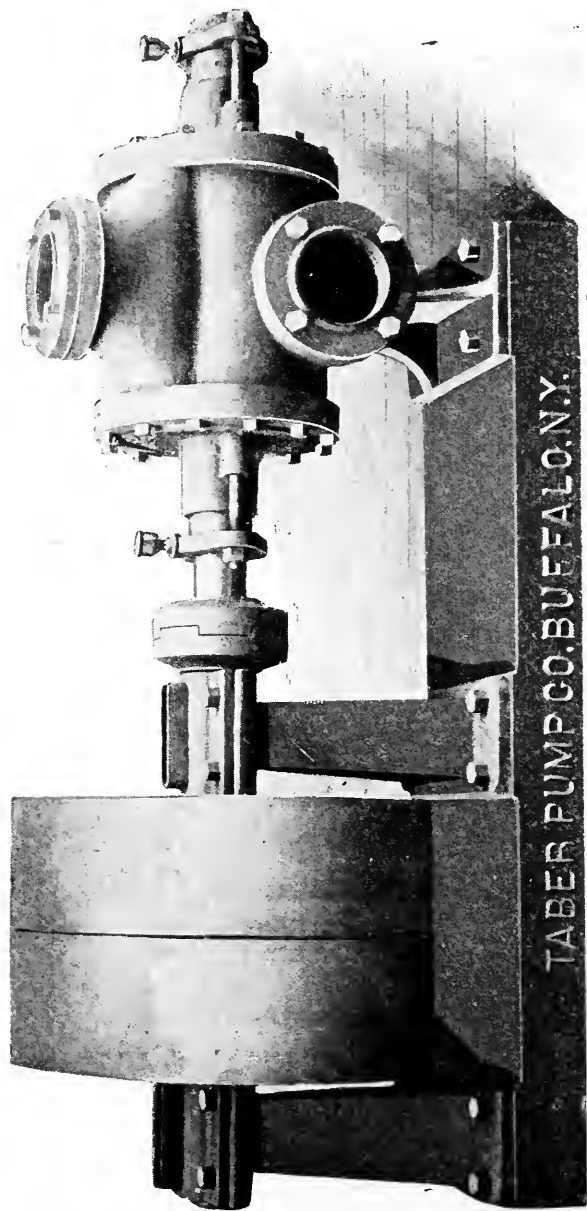
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ST. JOHN, N. B.

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LYE  
OIL  
TALLOW  
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ACID  
SOAP  
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viii

STANDARD SOAP PUMP OF THE WORLD.

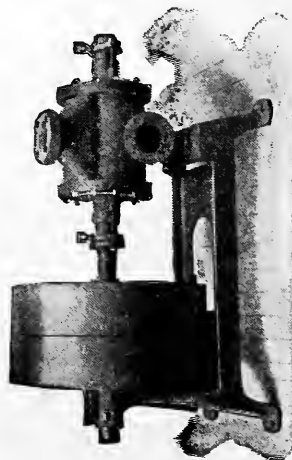
Taber Rotary Soap Pumps Are Used In All The Largest Soap Factories In The World.

MANUFACTURED BY

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BUFFALO, N. Y., U. S. A.

Send for Catalogue S.



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# A Satisfied Customer

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## **ILLINOIS.**

Armour & Co., Chicago.

Holman Soap Co., Chicago.

Maple City Soap Works, Monimouth.

Swift & Co., Chicago.

## **INDIANA.**

Kingan & Co., Indianapolis.

## **IOWA.**

Iowa Soap Co., Burlington.

## **IRELAND.**

David S. Brown & Son, Donaghmore.

## **KENTUCKY.**

Beaumont Soap Co., Mayfield.

## **MAINE.**

Glenrose Soap Co., Ellsworth.

## **MANITOBA.**

Royal Soap Co., Winnipeg.

## **MARYLAND.**

Armstrong Soap Co., Baltimore.

## **MASSACHUSETTS.**

J. C. Davis & Co., Cambridge.

Lever Bros., Ltd., Cambridge.

## **MINNESOTA.**

Minnesota Soap Co., St. Paul.

## **MISSOURI.**

Morris, Butt & Muller, Kansas City.

Pett Bros. & Co., Kansas City.

## **NEBRASKA.**

Cudahy Packing Co., So. Omaha.

## **NEW YORK.**

B. T. Babbitt, New York.

David S. Brown & Co., New York.

Granite City Soap Co., Newburg.

Dingman Soap Co., Buffalo.

Gowans & Sons, Buffalo.

A. Hoefner & Sons, Buffalo.

Larkin Soap Co., Buffalo.

Lautz Bros. & Co., Buffalo.

Rome Soap Co., Rome.

## **OHIO.**

Jos. Biechle Soap Co., Canton.

Cuyahoga Soap & Rendering Co., Cleveland.

J. P. Davies & Co., Dayton.

Harkness & Cowing Co., Cincinnati.

Hewitt Bros., Dayton.

Proctor & Gamble Co., Ivorydale.

Schultz & Co., Zanesville.

Thompson & Chute Co., Toledo.

Wolf Creek Soap Co., Dayton.

## **ONTARIO, CANADA.**

Imperial Soap Co., Toronto.

Jno. Taylor & Co., Toronto.

## **PENNSYLVANIA.**

W. & H. Walker, Pittsburg.

## **SWITZERLAND.**

Lever Bros., Ltd., Olten.

## **TENNESSEE.**

Cassey Oil Co., Nashville.

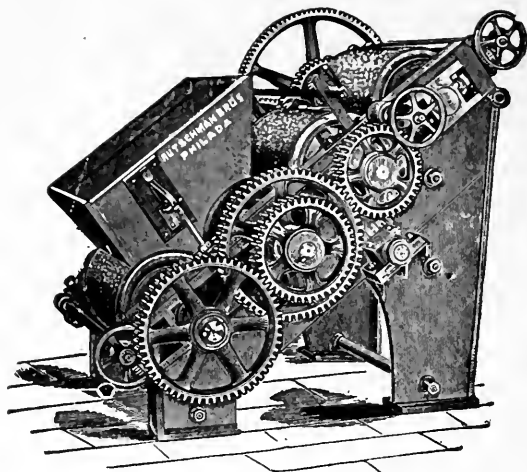
Enterprise Soap Works, Nashville.

## **WISCONSIN.**

B. J. Johnson Soap Co., Milwaukee.

Aladdin Soap Co., Sheboygan.

# The Best Advertisement



MAYFIELD, KY., November 6, 1901.  
RUTSCHMAN BROS., Philadelphia, Pa.

GENTLEMEN—Referring to your letter of October 30th, I wish to say that I have worked with single screw Plodders, and also with your double screw machine. I am thoroughly satisfied that your Compound Helix Plodder is the best machine in use.

Respectfully yours,

W. A. MOTT,  
*Supt. Beaumont Soap Co.'s Works,  
Mayfield, Ky.*

ESTABLISHED 1841

# RUTSCHMAN BROS.

Fifth and Berks Sts., Philadelphia

MANUFACTURERS OF

## The Celebrated Compound Helix Continuous Plodder (TWIN SCREWS)

Guaranteed 25 per cent. greater compression than any Single Screw Plodder .

Toilet Soap Mills with or without Automatic Adjustments of Rollers, Soap Chippers,  
Soap Press, Cake Cutter, etc., Single Screw Plodders made to order.

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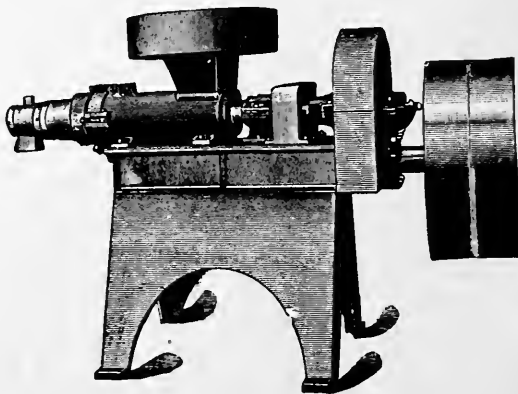
F. S. CLEAVER & SONS,  
CENTRAL HONEY, SOAP AND  
PERFUMERY WORKS,  
LONDON, ENGLAND, Nov. 5, 1901.

Messrs. RUTSCHMAN BROS ,  
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GENTLEMEN—We have now had your Double Screw Plodders in use in our factory for some time, and we consider that they make better soap than any plodder we have ever used. For years we used the French Single Screw Plodders, but have now entirely discontinued their use.

We are, Gentlemen, yours faithfully,

F. S. CLEAVER & SONS.





# Electrolytic Caustic Potash 90%

(98% on a Dry Basis)

**Free from Caustic Soda.**

In spite of the remarkably uniform purity of this Caustic Potash, the process by which it is made renders it relatively much cheaper than the old process potashes. Used by the largest Textile and Toilet Soap makers in this country and Europe. The demand for Potash Soaps is increasing.

Inquiries Solicited.

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***CHEMICALS AND COLORS,***

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**50-52 N. Front Street, Philadelphia.**

**136 Kinzie Street, Chicago.**

**13 Mathewson Street, Providence.**

**17 Lemoine Street, Montreal.**

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Headquarters for guaranteed pure yellow and green

## OLIVE OILS

and prime green

## OLIVE OIL FOOTS

— ALSO —

Palm Oil, Cocoanut Oil, Saponified Red Oil,  
Lard Oil, Peanut Oil, Corn Oil, Tallow,  
Grease and other Soap Materials

IN ANY QUANTITY ON SPOT OR FOR ARRIVAL.

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Write for samples and prices, stating quantity and deliveries desired.

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# Philadelphia Quartz Co.

MANUFACTURERS OF

## SILICATE OF SODA

IN ITS VARIOUS FORMS.

Our “N” Silicate of Soda *and* our “S” Silicate of Soda

—The well-known trade marks for two of our brands —

Are manufactured especially for **SOAP MAKERS’** use,  
and are considered the best adapted for the purpose  
of any brand made in this or foreign countries.

The capacity of our works and completeness of our equipment at Philadelphia, Pa., and at our Branch Works at Anderson, Ind. and Massillon, Ohio, afford our customers an unequalled guarantee for the uniformity of our manufacture and the certainty of orders being promptly filled.

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**ANDERSON, INDIANA.**

**MASSILLON, OHIO.**

**MAIN OFFICE :**

**121 S. THIRD ST., PHILADELPHIA.**

*All communications should be addressed to our main office.*

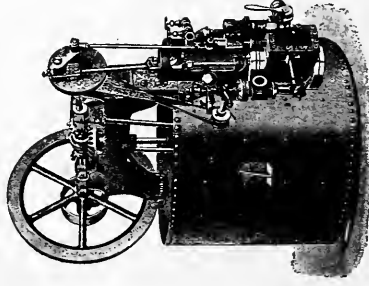
# HOUCHIN & HUBER

BROOKLYN, NEW YORK  
INVENTORS, DESIGNERS AND BUILDERS OF

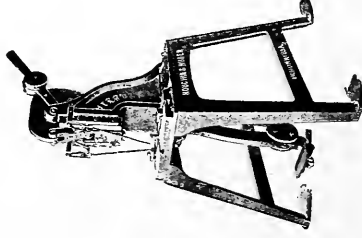
## High Class Soap Machinery

Engravers of Soap Dies, Box Printing Plates, Etc.

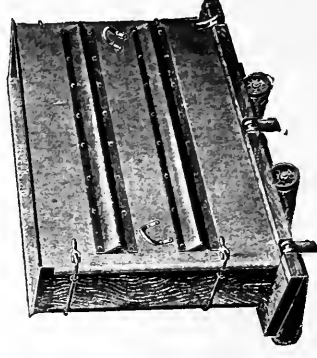
The largest manufacturers of this line in the world. Complete installations undertaken. Photographs, catalogues, sketches, specifications, or any information on modern processes, ideas or arrangements may be had for the asking.



*Perfection Crutching  
Machine with Engine*



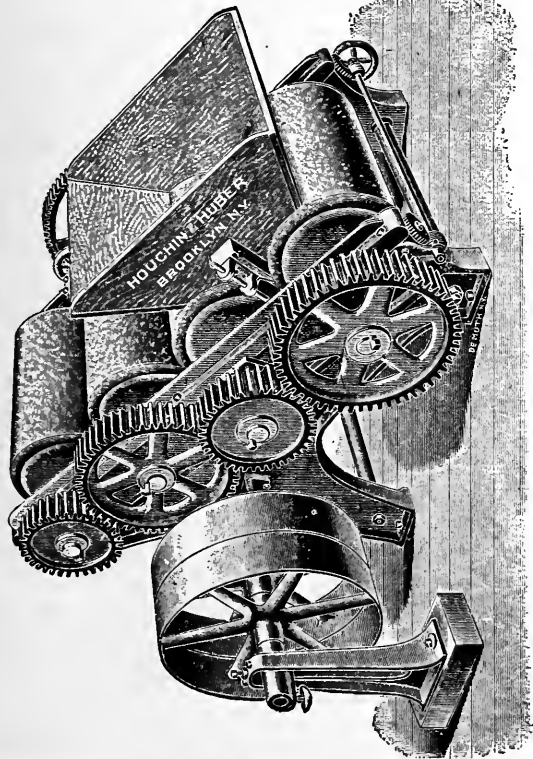
*Hercules Soap Press  
with Finger Guard.*



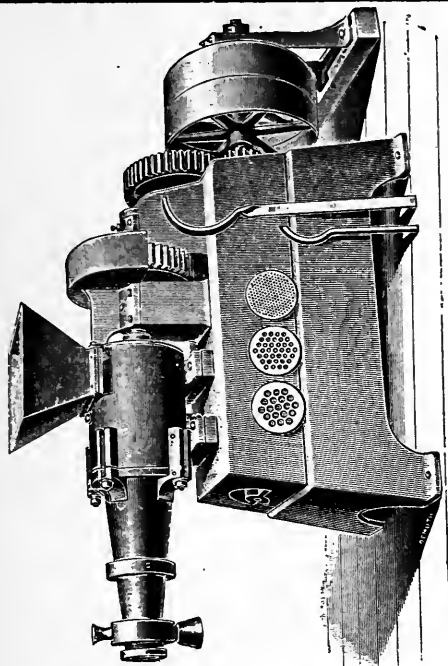
*Paramount Soap Frame with  
quick-acting adjustable  
Clamps. Patented.*



High Class Toilet Soap Machinery, Mills, Plodders (single and double screw), Presses, Cake Cutters, Soap Dies, Etc., Etc.



*Four Roll Tandem Soap Mill*



*Peerless Jumbo Jr. Plodder*

Everything up-to-date and a little ahead. Our Engraving Department second to none. All our machines are modern, practical, easy to operate, and built on our premises under careful supervision. Our soap machinery is in use by the largest manufacturers and is sent all over the world.

CORRESPONDENCE SOLICITED.

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MANUFACTURERS AND IMPORTERS

## ESSENTIAL OILS

Soap Makers' and Perfumers' Material

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Messrs. SPURWAY & CO., Cannes, France.

Messrs. McKENZIE BROTHERS, Hiogo, Japan.

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SPECIAL PRICES WILL BE OFFERED ON

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OIL CASSIA,

OIL LAVENDER,

OIL ROSEMARY,

OIL THYME.

*Application invited for our general price list.*

# THE SOAP BRAND RECORD AND TRADE MARK MANUAL

BY

LEEERT LLOYD LAMBORN, B.S., B.S.

Member American Chemical Society, Member Society Chemical Industry.

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PRICE \$5.00

PUBLISHED BY

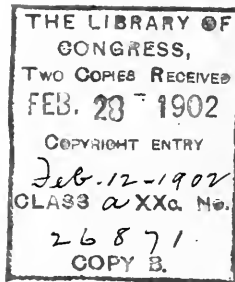
CHAS. S. BERRIMAN

SOAP GAZETTE AND PERFUMER

108 FULTON STREET

NEW YORK

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1902

“No organized system of trade could safely be conducted without the aid of symbols of ownership or of origin, for the simplest mode of exchange of goods, to be trustworthy, must be subject to faith in the authenticity of emblems attesting the probity of the vendor.”—*Browne on Trade-Marks*.



COPYRIGHTED, JANUARY, 1902  
CHAS. S. BERRIMAN

2-7131

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## PREFACE.

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Next to capital invested in plant, the most valuable asset of a progressive manufacturer is his good will usually represented by his Trade-Marks or brands and valued in proportion to his manufacturing operations and to the expense incurred in advertising them. When the brands of a single industry are numerous, as is the case in the soap industry, infringement of previously used brands is of frequent occurrence. This infringement may be either intentional or unintentional. Infringement of the former character is usually directed against a well-known mark. Legal proceedings are as a rule resorted to with adequate results but not without much expense and annoyance. Unintentional infringement arises from ignorance of the existence of the Trade Mark or brand infringed upon. Simple notice of the previous existence of the infringed Trade-Mark as a rule suffices to protect it from further danger from the same source. In these cases, which are numerous and wide-spread and with which about every soap manufacturer has had experience either on one side or the other, the expense is borne by the unintentional infringer, to which are often added embarrassment and delay in marketing his product. Much confusion and malinformation exist as to the laws and customs of Trade-Marks. The multiplicity of brands, the frequency with which new ones are issued by the same house and old ones discarded, emphasize this confusion and annoyance.

There is no industry marketing a product of such indispensable general use as soap in which Trade-Mark conditions are in a more chaotic state. There are met with on every hand cases of intentional and unintentional infringement of Trade-Marks concerning the rightful ownership of which there is no definite knowledge. Moreover many of the Trade-Marks in actual use fall, in many respects, so far short of the requirements of a lawful Trade-Mark, that it is doubtful if ownership in them could be protected, if assailed, by resort to law.

There has long been a demand for a trustworthy and complete compilation of existing Trade-Marks ; which fact in connection with the generally confused ideas regarding the nature and use of Trade-Marks, emphasized the necessity for some concise and comprehensive presentation of the subject of Trade-Marks of direct application to the soap industry.

An endeavor has been made to supply this demand in the publication of the " Soap Brand Record and Trade Mark Manual."

In the preparation of the list of Trade-Marks on pages 131 to 178 inclusive, it has been our purpose to collate the various Trade-Marks, both copyrighted and uncopyrighted, in which each individual soap manufacturer claims ownership. These comprise Trade-Marks applicable to every class and grade of detergent, viz., laundry soap, toilet soap, scouring soap, industrial soap, chip soap, soap powder and every preparation in which soap enters as a basic ingredient.

The list of Trade-Marks applied to soap, copyrighted at the Patent Office in Washington, is complete up to January 1, 1902 ; which list, supplemented by the vastly more numerous Trade-Marks in actual use, makes this compilation the most complete ever published. The utmost pains have been taken to insure the fullest reliability, with the hope that the care exercised in this respect may find its reward in the confidence placed by users of "The Soap Brand Record and Trade Mark Manual" in its completeness and accuracy.

Each Trade-Mark reported by the soap manufacturer is followed by the index number assigned to him in the list on pages 121 to 130 inclusive. A Trade-Mark followed by two or more numbers indicates that the soap manufacturers corresponding to the numbers in question either claim ownership to, or use that Trade-Mark.

The completed book as it stands is essentially a compilation. The section devoted to the discussion of Trade-Marks is the result of liberal tribute levied upon Trade-Mark literature, but not in the concise and readily accessible form with which it is here presented.

In conclusion thanks are due the numerous soap manufacturers who have aided in making the list of soap brands in actual use so complete in promptly reporting the Trade-Marks used by them.



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## Introduction.

In any discussion of trade-marks and trade-mark laws, it is essential to clearly distinguish between two other species of property that from close association in public discussion and legislative enactments at once suggest themselves, viz. : patents and copyrights.

A patent is a grant by government of exclusive privilege for a term of years in any original invention or discovery. A copyright belongs to the claimant by reason of the same originality of production.

A copyright may be obtained by any one who is the author, inventor, designer or proprietor of any book, map, chart, dramatic or musical composition, engraving, cut, print, or photograph or negative thereof, or of a painting, drawing, chromo, statue, statuary, and of models and designs, intended to be perfected as works of the fine arts. No copyright will be issued to protect coined names, names of manufactured articles ; of games or puzzles ; of substances, products or medicines. The name of a series of books or pictures cannot be copyrighted except in connection with some specific work in the series. The name of a newspaper cannot be copyrighted, but each individual issue of it can be. Probably much confusion is caused by a failure to distinguish between copyrights and trade-marks. Catch-lines and phrases cannot be copyrighted.

In establishing the principle of copyright, it was the purpose of the government to encourage original works of art and of literature. Nothing in the shape of an advertisement, pure and simple, is recognized as belonging to these classes.

Copyrights are granted for the term of twenty-eight years, and may be renewed for fourteen additional years, if the renewal is filed within six months before the expiration of the first term.

Trade-marks differ primarily in their origin from patents and copyrights. A trade-mark may be selected anywhere and originates only by adoption and use. Patents and copyrights become the owners' property in a different way and for different reasons from trade-marks. But even in this difference there is a latent analogy. Priority of use, the very twin of originality, is the title bond to a trade-mark. One is the priority of thought, of invention, of discovery ; the other the priority of combination. And in that combination there is originality, thought, invention, and discovery. In this sense the adopter and user of a trade-mark is both the author and the inventor of the combination of the marked goods. And he has no exclusive property in it except in that original application in which it is impressed upon the article.

# PART I.

## Chapter I.

### Trade-Mark Defined.

A trade-mark is the exclusive privilege of using a mark or symbol to distinguish articles of manufacture so that purchasers may identify them. To perfect a trade-mark as the property of a person requires the manufacturing of a certain article of salable property, the selection of a certain mark or design to identify such property as genuine, the impressing of that mark upon the property. These done, and the use is complete.

The adoption of the mark and impressing it on the goods is the complete and perfect use of a trade-mark.

The mark does not exist, except it be as a conception of the mind ; but in law or fact it does not exist until it is impressed upon goods, as your signature only exists when written. In fact, the marking the goods of a manufacturer with his commercial signature, or stamp of genuineness is, if a part of either, a part of the finishing act of the manufacture of the article, rather than belonging to the transportation, sale, or commerce of such goods. The goods are prepared and marked in the manufactory before they are ready for transfer to the sales or shipping room. Of course every separate act of the manufacture, from the purchase of the raw material to the impress of the signet of trade, the seal of ownership, is prompted by and accompanied with an intent to sell in any and all the markets it is possible to enter. And the goods thus completed are intended to be the subjects of intrastate, interstate, and foreign commerce. The entire thing enjoyed is the preference in market for certain goods. In the words of one court :

“ It is a right which can be said to exist only and can be tested only by its violation. It is the right which any person designating his wares or commodities by a particular trade-mark, as it is called, has to prevent others from selling wares which are not his, marked with that trade-mark in order to mislead the public, and so, incidentally, to injure the person who is owner of the trade-mark.”

## Origin of Trade-Marks.

The original use of a word, design or pictorial representation to indicate the quality or character of merchandise is shrouded in obscurity. Indeed, the importance and significance of such representation were not recognized until coöperative manufacture began to assume prominence. The first use of a trade-mark doubtless consisted of some design or figure readily intelligible to the illiterate buyer and may be considered to mark the beginnings of personal integrity in commercial transactions.

As primitive manufacture and means of communication grew, the importance of marking the quality, origin or other character of manufactured goods increased until with the advent of steam and the first rude beginnings of the modern factory system, trade-marks had acquired sufficient commercial value to warrant suits at law by the original users for the protection of their property rights.

In the present age with its marvellous material development in every line of activity, trade-marks have assumed a value as a commercial asset infinitely beyond the most sanguine dreams of the primitive, ambitious manufacturer who marked the results of his handicraft with some sign indicative of their quality or of his skill.

It would be difficult to state whether trade-marks originated solely from pride in the work of one's hands, or as an instrument for the protection of a reputation acquired in the manufacture and sale of useful goods. However much they may have originated from both sources, trade-marks came to mean reliability and uniform quality when attached to any given commodity—an evidence of good intent from the seller to the buyer. The latter learned to recognize them as indicative of a certain quality, the former to prize them for the friends they had made.

## Multiplicity of Trade-Marks.

It is impossible to state, even with approximate accuracy, the number of trade-marks in the United States. Estimates of the number in use range from 500,000 to 1,000,000, with hundreds added daily. The number of trade-marks registered at Washington is less than 50,000, a disparity between trade-marks registered and trade-marks in use which will receive full explanation in subsequent pages. They cover every conceivable variety of product in which competitive skill has been brought to play. Many of them are short-lived and enjoy an exclusive use only in a fitful run of a passing fancy or during the frequently not greater career of their owner as a manufacturer. Others have survived through generations of consumers and bid fair to attest the sterling

worth of the goods they mark, so long as such goods supply a manifest want.

It will be seen that their multiplicity is often a source of great confusion from close similarity or fraudulent or unintentional duplication, when it becomes necessary to determine the ownership of exclusive privilege through priority of use.

## Chapter II.

### The Growth of Trade-Mark Law.

In comparison with the length of time that trade-marks have been used in commerce, laws for the protection of those rightfully employing them are of recent origin. In Great Britain prior to the Independence of the United States and for many years thereafter, the importance of the protection of trade-marks was little understood, notwithstanding that the importance of the development of manufacturing industries and commerce was fully recognized. Every effort was made to encourage its growth with the result that at that time Great Britain was recognized as the leading manufacturing and commercial nation of the world. This neglect of recognition of trade-mark property was significant inasmuch as the framers of the Constitution looked to Great Britain for information and suggestions to guide them in determining the provisions of that document. Great Britain not only had then no special law on the subject, but it had not then been recognized by the courts of that country that there could be any property right in the distinctive mark used by a manufacturer or trader on goods sold by him. But three cases at wide intervals had come before the courts for decision. As the conditions of commerce improved, particularly the facilities for intercommunication between distant places, by which it was made possible for manufacturers to compete with others than those in their immediate neighborhood, the importance of the protection of trade-marks began to be recognized and the British courts found it necessary to the protection of honest trade and the prevention of fraud to interpose by injunction to prevent their infringement. It was not, however, until 1838 that an English court held that the owner of a trade-mark was entitled to injunction against the use of his mark by those who used it without fraudulent intent. The year 1862 marks the enactment of the first special law on trade-marks, previous to which time the common-law remedies of damages and injunctions sufficed for protection against infringement. The first legal registration of trade-marks in Great Britain dates from 1875.

The natural fitness of the original states of the United States for agricultural pursuits would have tended to confine them for a long time to

that industry, aside from the severely repressive measures exercised by Great Britain towards colonial manufacture. That there was no general recognition of the importance of the protection of trade-marks appears from the fact that not until 1837 was there any controversy respecting the right to a trade-mark on articles of merchandise before any court of record in the United States and not until 1844 was there any such case brought before a United States court. The first state law for the protection of trade-marks was passed in 1845 by the legislature of New York. This was followed by similar legislative enactments in several states and on July 8, 1871, the first national trade-mark law was approved. This was followed in 1876 by a second federal law which, whatever may have been its defects, supplied what was lacking in the previous enactment.

This act provided a protection for trade-marks beyond that given by the common law as understood and applied by the courts, by making the willful counterfeiting of registered trade-marks a misdemeanor punishable by fine or imprisonment. The trade-mark law as it then stood, taking the two acts, that of 1870 and that of 1876 together, was deficient in one essential particular, which was of such importance as to render it impossible to uphold the law as valid and constitutional; that is, in not being limited in its application to the registration and protection of trade-marks used in commerce which Congress, under the Constitution, had the power to regulate. In these essential features, making full protection conditional upon registration of the mark, and making the infringement of a registered mark a misdemeanor punishable by fine or imprisonment, the trade-mark law as it then stood corresponded with the trade-mark laws of the foreign countries with which the United States had entered into treaty agreements respecting the protection of trade-marks. In the decision of the Supreme court of the United States which declared the above law unconstitutional, Justice Miller states:

“The right to adopt and use a symbol or a device to distinguish the goods or property made or sold by the person whose mark it is, to the exclusion of use by all other persons, has been long recognized by the common law and the chancery courts of England and of this country, and by the statutes of some of the States. It is a property right for the violation of which damages may be recovered in an action at law, and the continued violation of it will be enjoined by a court of equity, with compensation for past infringement. This exclusive right was not created by the act of Congress, and does not now depend upon it for its enforcement. The whole system of trade-mark property and the civil remedies for its protection existed long anterior to that act, and have remained in full force since its passage.

“These propositions are so well understood as to require neither the citation of authorities nor an elaborate argument to prove them.”

“Any attempt, however, to identify the essential characteristics of a trade-mark with inventions and discoveries in the arts and sciences, or with the writings of authors, will show that the effort is surrounded with insurmountable difficulties.

“The ordinary trade-mark has no necessary relation to invention or discovery. The trade-mark recognized by the common law is generally the growth of a considerable period of use, rather than a sudden invention. It is often the result of accident rather than design, and when under the act of Congress it is sought to establish it by registration, neither originality, invention, discovery, science, nor art is in any way essential to the right conferred by that act. If we should endeavor to classify it under the head of writings of authors, the objections are equally strong. In this, as in regard to inventions, originality is required. And while the word *writings* may be liberally construed, as it has been, to include original designs for engravings, prints, etc., it is only such as are *original*, and are founded in the creative powers of the mind. The writings which are to be protected are *the fruits of intellectual labor*, embodied in the form of books, prints, engravings, and the like. The trade-mark may be, and generally is, the adoption of something already in existence as the distinctive symbol of the party using it. At common law the exclusive right to it grows out of its *use*, and not its mere adoption. By the act of Congress this exclusive right attaches upon registration. But in neither case does it depend upon novelty, invention, discovery, or any work of the brain. It requires no fancy or imagination, no genius, no laborious thought. It is simply founded on priority of appropriation. We look in vain in the statute for any other qualification or condition. If the symbol, however plain, simple, old, or well known, has been first appropriated by the claimant as his distinctive trade-mark, he may, by registration, secure the right to its exclusive use. While such legislation may be a judicious aid to the common law on the subject of trade-marks, and may be within the competency of legislatures whose general powers embrace that class of subjects, we are unable to see any such power in the constitutional provision concerning authors and inventors and their writings and discoveries.”

## Classification of Trade-Mark Laws.

Trade-mark laws are divided into two classes, viz. : those known as “declaratory,” in which the right to the mark is acquired by actual use of the mark or brand in trade; and secondly, those known as “attributive,” which make the ownership in the mark depend upon the act of registration, the first who presents the mark for registration becoming, by that act, the owner of the mark, irrespective of the fact of his having previously used the mark or not.

Our present law partakes of the “declaratory” nature, for any soap manufacturer by simple proof of priority of use can establish claim for infringement.



## National Trade-Mark Law of 1881.

An act to authorize the registration of trade-marks and to protect the same was approved March 3, 1881. This law provides for the registration of trade-marks used in commerce with foreign nations or with the Indian tribes and by providing that the owners of trade-marks domiciled in any foreign country which by treaty, convention or law affords similar privileges to citizens of the United States may register their marks gives effect to the treaty obligations which the United States has entered into with foreign countries so far as the registration of trade-marks is concerned. It also provides that the registration of a trade-mark shall be *prima facie* evidence of ownership. In other respects it practically does nothing more than give effect to the common law of trade-marks as it existed at the time of its enactment, created by the courts of Great Britain and the United States, indefinite and indistinct as a law must be which has to be ascertained from a mass of decisions rendered in many different courts, many of them contradictory in their dicta on the question and all of them concerned with doing justice in the particular case before them rather than with legislating into existence a distinct and definite law.

The following statement by Judge Potter may be accepted as indicating the difficulty in ascertaining the law with respect to trade-marks, the decision being subsequently affirmed on appeal by the Supreme court of New York :

“The law in relation to trade-marks in late years has been much discussed in the courts, still, however, leaving many questions unsettled, so that what is proper to do in cases of this kind depends more or less upon the circumstances that attend them. The questions presented in the adjudicated cases have been variant in the features, and partially so conflicting that we are compelled to look at a few general principles that seem to be settled and then resort to analogies, in order to determine from them what should be held in the particular case and then deal with it according to the nature of its peculiar circumstances.”

The following is the law as it at present stands in the Federal Statutes :  
AN ACT to authorize the registration of trade-marks and protect the same.

Approved March 3, 1881.

*Be it enacted by the Senate and House of Representatives of the United States in Congress assembled,* That the owners of trade-marks used in commerce with foreign nations or with the Indian tribes, provided such owners shall be domiciled in the United States or located in any foreign country or tribes, which, by treaty, convention, or law, affords similar privileges to citizens of the United States, may obtain registration of such trade-marks by complying with the following requirements :

First. By causing to be recorded in the Patent Office a statement specifying name, domicile, location, and citizenship of the party applying ; the class of merchandise, and the particular description of goods comprised in such class to which the particular trade-mark has been appropriated ; a description of the trade-mark itself, with fac-similes thereof, and a statement of the mode in which the same is applied and affixed to goods, and the length of time during which the trade-mark has been used.

Second. By paying into the Treasury of the United States the sum of twenty-five dollars, and complying with such regulations as may be prescribed by the Commissioner of Patents.

SEC. 2. That the application prescribed in the foregoing section must, in order to create any right whatever in favor of the party filing it, be accompanied by a written declaration verified by the person, or by a member of a firm, or by an officer of a corporation applying, to the effect that such party has at the time a right to the use of the trade-mark sought to be registered, and that no other person, firm, or corporation has the right to such use, either in the identical form or in any such near resemblance thereto as might be calculated to deceive ; that such trade-mark is used in commerce with foreign nations or Indian tribes, as above indicated ; and that the description and fac-similes presented for registry truly represent the trade-mark sought to be registered.

SEC. 3. That the time of the receipt of any such application shall be noted and recorded. But no alleged trade-mark shall be registered unless the same appear to be lawfully used as such by the applicant in foreign commerce or commerce with Indian tribes, as above mentioned, or is within the provision of a treaty, convention, or declaration with a foreign power ; nor which is merely the name of the applicant ; nor which is identical with a registered or known trade-mark owned by another, and appropriate to the same class of merchandise, or which so nearly resembles some other person's lawful trade-mark as to be likely to cause confusion or mistake in the mind of the public, or to deceive purchasers. In an application for registration the Commissioner of Patents shall decide the presumptive lawfulness of claim to the alleged trade-mark ; and in any dispute between an applicant and a previous registrant, or between applicants, he shall follow, so far as the same may be applicable, the practice of courts of equity of the United States in analogous cases.

SEC. 4. That certificates of registry of trade-marks shall be issued in the name of the United States of America, under the seal of the Department of the Interior, and shall be signed by the Commissioner of Patents, and a record thereof, together with printed copies of the specifications, shall be kept in books for that purpose. Copies of trade-marks and of statements and declarations filed therewith, and certificates of registry so signed and sealed, shall be evidence in any suit in which such trade-marks shall be brought into controversy.

SEC. 5. That a certificate of registry shall remain in force for thirty years from its date, except in cases where the trade-mark is claimed for and applied

to articles not manufactured in this country, and in which it receives protection under the laws of a foreign country for a shorter period, in which case it shall cease to have any force in this country by virtue of this act at the time that such trade-mark ceases to be exclusive property elsewhere. At any time during the six months prior to the expiration of the term of thirty years such registration may be renewed on the same terms and for a like period.

SEC. 6. That applicants for registration under this act shall be credited for any fee or part of a fee heretofore paid into the Treasury of the United States with intent to procure protection for the same trade-mark.

SEC. 7. That registration of a trade-mark shall be *prima facie* evidence of ownership. Any person who shall reproduce, counterfeit, copy, or colorably imitate any trade-mark registered under this act and affix the same to merchandise of substantially the same descriptive properties as those described in the registration shall be liable to an action on the case for damages for the wrongful use of said trade-mark at the suit of the owner thereof; and the party aggrieved shall also have his remedy according to the course of equity to enjoin the wrongful use of such trade-mark used in foreign commerce or commerce with Indian tribes, as aforesaid, and to recover compensation therefor in any court having jurisdiction over the person guilty of such wrongful act; and courts of the United States shall have original and appellate jurisdiction in such cases without regard to the amount in controversy.

SEC. 8. That no action or suit shall be maintained under the provisions of this act in any case when the trade-mark is used in any unlawful business or upon any article injurious in itself, or which mark has been used with the design of deceiving the public in the purchase of merchandise, or under any certificate of registry fraudulently obtained.

SEC. 9. That any person who shall procure the registry of a trade-mark, or of himself as the owner of a trade-mark, or an entry respecting a trade-mark, in the office of the Commissioner of Patents, by a false or fraudulent representation or declaration, orally or in writing, or by any fraudulent means, shall be liable to pay any damages sustained in consequence thereof to the injured party, to be recovered in an action on the case.

SEC. 10. That nothing in this act shall prevent, lessen, impeach, or avoid any remedy at law or in equity which any party aggrieved by any wrongful use of any trade-mark might have had if the provisions of this act had not been passed.

SEC. 11. That nothing in this act shall be construed as unfavorably affecting a claim to a trade-mark after the term of registration shall have expired; nor to give cognizance to any court of the United States in an action or suit between citizens of the same State, unless the trade-mark in controversy is used on goods intended to be transported to a foreign country, or in lawful commercial intercourse with an Indian tribe.

SEC. 12. That the Commissioner of Patents is authorized to make rules and regulations and prescribe forms for the transfer of the right to use trade-marks and for recording such transfers in his office.

SEC. 13. That citizens and residents of this country wishing the protection of

trade-marks in any foreign country, the laws of which require registration here as a condition precedent to getting such protection there, may register their trade-marks for that purpose as is above allowed to foreigners, and have certificate thereof from the Patent Office.

## **State Trade-Mark Laws.**

Since the the approval of the act of 1881 many of the separate States of the United States have adopted laws providing for the registration and protection of trade-marks or have amended such laws previously adopted.

These various laws are conflicting, are without uniformity and provide different penalties for their infraction. California, for instance, gives a trade-mark to the man who first registers it with the Secretary of State. The same rule applies to Oregon. In Missouri the trade-mark is obtained by a description acknowledged and recorded in the recorder's office of the county. Such laws are generally recognized as futile and weak and are seldom resorted to for redress. They provide the best argument for a general Federal law framed in the light of present commercial conditions for the protection of trade-mark property throughout the United States.

## **List of States with Trade-Mark Laws.**

The following States provide by law for the registration of trade-marks by any person or association, or union of workingmen, and for the punishment by fine or imprisonment of infringers :

Delaware, act of March 29, 1893.

Georgia, act of December 20, 1893.

Idaho, act of March 12, 1897.

Illinois, act of June 13, 1895.

Indiana, acts of March 6, 1891, and March 8, 1897.

Iowa, act of March 26, 1892.

Louisiana, act of July 8, 1898.

Maine, act of March 28, 1893.

Maryland, act of April 4, 1892.

Massachusetts, act of June 4, 1895.

Michigan, act of May 24, 1895.

Minnesota, act of February 23, 1895.

Missouri, act of March 20, 1893.

Montana, Sander's Penal Code, 1895.

New Hampshire, act of March 13, 1895.

New Jersey, act of March 15, 1898.

Ohio, acts of March 30, 1892, and May 1, 1894 ; Revised Statutes, 1890.

Oklahoma, act of March 11, 1897.

Tennessee, act of February 3, 1897.

Utah, act of March 8, 1894.

Wisconsin, act of April 9, 1895.

The following States provide by law for the registration of trade-marks by any person and for the punishment of infringers by fine or imprisonment, but do not expressly provide by law for registration by associations or unions :

Arkansas, act of March 31, 1883.

California, act of March 12, 1885 ; chapter 157 of Laws of 1897.

Colorado, Hill's Annotated Statutes, 1891.

Connecticut, Statutes of 1888 ; chapter 93 of Laws of 1895.

Nevada, Statutes of 1885.

North Dakota, act of March 9, 1891.

Oregon, Hill's Annotated Laws, 1892.

Washington, acts of February 21, 1891, and March 20, 1895.

West Virginia, Code of 1897, act of 1882.

The following States provide by law for the registration of trade-marks only by associations or unions of workingmen and for the punishment of infringers by fine or imprisonment :

Kansas, act of March 11, 1891.

Kentucky, acts of April 16, 1892, and March 8, 1894.

Nebraska, Laws of 1891, chapter 15.

Pennsylvania, act of May 21, 1895.

South Dakota, act of March 7, 1890.

The following States provide by law for the registration of trade-marks only by manufacturers or dealers in beverages in bottles, etc., and for the punishment of persons who make fraudulent use of the bottles, etc., so marked :

Alabama, act of February 14, 1891.

New York, act of May 27, 1894, R.

Rhode Island, act of May 13, 1892.

Virginia, act of February 17, 1890, and February 12, 1892.

## **Present Status of Trade-Mark Law in the United States.**

Property in trade-marks is protected throughout the United States under the common law. By common law is understood "those principles, usages and rules of action applicable to the government and security of persons and property, which do not rest for their authority upon any express or positive declaration of the will of the legislature."

It is well settled that a court of equity will exercise its power for the

protection of the owner of a *trade-mark* in the exclusive enjoyment of that device or symbol chosen by him to *designate* his goods or manufactures, and to distinguish them from those of others.

Every man has a right to the products of his own labor, and is entitled so to distinguish them, that persons dealing in or purchasing his commodities may be readily able to recognize them as his. The maker may therefore either with or without the use of his name adopt a word, title, symbol, or figure to designate the ownership or manufacture of the goods. In the use of such "trade-mark" he is to be protected from the efforts of others who would take advantage of his enterprise or skill, and, by imitation, endeavor to impose upon the public and to deprive him of the just reward of his industry.

The adoption of a trade-mark or device to indicate the manufacture or origin of a certain article does not give any right to the exclusive production of the article so marked. Any article of manufacture, unless it be protected by a patent, may be made and sold by any person. There is no such thing as an exclusive right to any particular branch of industry. The only restriction is that each party shall stand upon his own merits, and none shall be permitted, by the use of marks or symbols, to pretend that the goods offered by him are the products of another. (6 Beav., 72 ; Perry *v.* Truefitt, Coffeen *v.* Brunton, 4 McLean, 516.) This rule has even been applied to cases where there was no intentional deception, as where the manufacturer of steel was prohibited from stamping upon his manufacture certain words which he supposed were descriptive of a particular quality of steel, but which were, in fact, the name of the original manufacturer, and indicated his ownership (Millington *v.* Fox, 3 Myl. & Cr., 338).

The body of law upon the subjects of trade-marks is made up (1) of the national law of 1881, (2) the various ununiform and conflicting State laws, (3) decisions rendered in disputed cases by the Federal and State courts, and (4) treaties entered into by the United States with various foreign powers for the reciprocal protection of trade-marks.

The Supreme Court (Trade-Mark Cases ; 100 U. S., 82) has declared that Congress has no power under the Constitution to provide for the registration and protection of trade-marks used in commerce carried on wholly within a single State. The federal law of 1881, provides for the registration and protection of trade-marks used only "in commerce with foreign nations or with Indian tribes." The number of such trade-marks is inconsiderable with that used in interstate commerce. The above requirement is frequently overcome by sample consignments with prices to agents in the Indian Territory and Canada. The above clause

was contained in the act of 1870, which was declared unconstitutional in 1879 but which through some unexplained inadvertency was included in the Act of 1881, now in force. With modern methods of transportation there is but little difficulty in extending the trade in a meritorious article beyond the confines of a single State. An unnecessary inconvenience is thus wrought by this omission of the power of Congress to control intrastate commerce.

The first attempt at federal legislation was declared unconstitutional on the grounds that the right in a trade-mark was a property right, acquired by use and not created by act of Congress and that Congress could not regulate commerce between citizens of the same State, leaving undecided the question of "whether the trade-mark bears such relation to commerce in general terms as to bring it within congressional control, when used or applied to the classes of commerce which fall within that control."

The inadequacy of the federal law to properly provide for registration and protection of trade-marks used by citizens of the United States together with the great confusion of separate State laws and the interminable mass of federal and State court decisions, prove a potent argument for a thorough revision of the laws appertaining to trade-marks.

## Foreign Laws Relating to Trade-Marks.

Foreign laws relating to marks may be divided into two classes, viz. : (1) those which make registration declaratory of right to the mark, and (2) those which make registration attributive of right to the mark.

The laws of France belong to the first class, and the validity of a registered mark may be questioned in the French courts, notwithstanding registration.

The laws of Great Britain, Denmark, Germany, etc., belong to the second class, and the validity of the registered mark can not be questioned collaterally, since the registration is the basis of every right. No protection, therefore, is afforded to unregistered marks by the laws of the latter countries, if they are such marks as may be registered, and the question of prior use is never raised, since the title is not based on use. The result of the attributive system is beneficial in this, that any person desiring to make use of a particular mark may, by examining the register, determine whether or not that mark is already appropriated by another; and if he does not find the mark, he may himself register it and use it with the certainty that, so long as he keeps his registration in force, he can not be interfered with in the use of the mark by a prior user or by any other person.

Such a law is open to the objection that it permits well-known but unregistered marks to be registered by and become the property of any person who chooses to apply for registration, but in answer to this objection it must be said that such a result is due not to anything in the law, but to the laches on the part of the original owner of the mark. It can not be considered unreasonable to require anyone who seeks to protect his rights to notify the public of his claim promptly, if he would maintain that claim.

Under the class of declaratory laws, of which those of France have been given as an example, registration is a prerequisite of right to sue for a violation of the exclusive use of the mark. In the case of attributive laws registration is necessarily so.

There is a great variation in the character of the marks which may be registered. In some countries single words can not be registered, no matter whether newly coined or not; in others single words other than the names of persons and places may be registered, and the latter may be registered in a special form. Coats of arms and marks not subject to the rules of good morals can not be registered.

Commercial or trade names as a rule are the subject of special protection and do not receive that provided for trade-marks—so also the names of localities.

Many foreign trade-mark laws, as well as those of many of the States of the United States, provide for the registration of trade-marks which are used by associations of workingmen or of manufacturers or dealers who by reason of being located in the same region, or for other reasons, have agreed upon a particular mark to distinguish the place of manufacture or origin, or the workmen engaged on a particular manufacture.

In those countries where registration of a mark is attributive of property in the registered mark, it is apparent that use before application for registration need not be made essential and that the registration of marks which are *intended* to be used may be allowed. In Great Britain a mark may be and is frequently registered in all classes, although used in one only, for the purpose of preventing that confusion which sometimes happens because of the use of the same trade-mark by different manufacturers on goods sold through the same dealers, although of different classes.

The formalities required for registration in foreign countries are usually few and simple. Practically nothing is required beyond a statement sufficiently full to identify the applicant, a fac-simile or specimen of the mark, and a statement of the class of goods to which it is or is intended to be applied. No elaborate description is required, nor is it



necessary for the applicant to attempt to distinguish the essential features of his mark. The application may in many of these countries be made upon a simple form furnished by the registry office, which can be filled out by any person of intelligence. In Great Britain a disclaimer is required in certain cases and is the subject of differences of opinion among jurists. Some take the ground that the effect of the disclaimer is to allow the trade-mark to be evaded by the dishonest, and the courts in order to avoid its effects are taking jurisdiction of cases where the defendant is said to be passing off his goods for those of another.

The fees for registration are in most cases very small. In fourteen out of twenty-six principal countries the fees are less than \$5, averaging less than \$3; in four others less than \$10; in six others, less than \$14 (in four of these six). The fees for renewal are less than \$3. In only two countries are the fees for registration greater than in the United States, viz.: Argentine Republic \$40 and Canada \$30, for general trade-marks.

The term of registration in most countries is comparatively short. It is ten years in seventeen of twenty-eight principal countries providing for registration; not over fifteen years in six others; twenty years in three others; twenty-five years or longer in two countries.

Registration may be renewed in all of them indefinitely on payment of a fee generally less than \$5. If not renewed, as a general rule, all rights secured by registration lapse. In some cases, as in Portugal, the mark falls into the public domain and may at once be adopted and registered by another after the expiration of a definite period, *e. g.*, in Germany, after two years.

The registered mark under most laws is transferable in connection with the business and goodwill only. This provision is considered to be in the interest of the public. To permit a trade-mark to be transferred from a manufacturer without anything else, or to permit the owner of the mark to license others to use it is promotive of fraud upon the purchasing public.

It is generally provided in foreign trade-mark laws that the foreign owner of a trade-mark shall be entitled to registration of and protection for his trade-mark, but conditional on the validity of the mark in the country where applicant for registration resides, proved by the registration there.

It is provided in many foreign trade-mark laws that an applicant for registration of a trade-mark should in his application appoint a representative in the country, or, as in the trade-mark laws of Great Britain, should "give the comptroller an address for service." In other words, these laws recognize the necessity for the owner of a trade-mark who

seeks the protection of the laws of the country to so far place himself within the jurisdiction of the courts of the country that legal notice of any proceedings adverse to the rights claimed by him be served upon him in the country.

All the foreign trade-mark laws considered contain provisions for punishing by fine or imprisonment those who willfully and fraudulently counterfeit or imitate the registered trade-mark of another. Such laws also provide for suits for damages and some even compel the publication of the decision, if against the defendant, at his expense.

## **Foreign Countries which Provide by Law for the Registration of Trade-Marks.**

The following list of countries which provide by law for the registration of trade-marks and for the protection of registered marks against infringers, together with the note which follows the list, is from Greeley's Foreign Patent and Trade-Mark Laws (Washington, 1899):

Argentine Republic: Laws of August 14, 1876; July 31, 1897.

Austria: Laws of January 6, 1890; June 10, 1891.

Belgium: Law of April 1, 1879.

Bolivia: Law of November 25, 1893; amended March 24, 1897.

Brazil: Law of October 14, 1887.

British New Guinea: Law of 1894.

British South Africa (Rhodesia, Mashonaland, and Matabeleland): Laws of 1893 and 1894.

Bulgaria: Law of December 15-27, 1892; amended December 21, 1893-January 2, 1894.

Canada: Law of May 15, 1879; amended March 26, 1890.

Cape Colony: Law of 1877; amended July 5, 1895.

Ceylon: Law of December, 1888; amended April 16, 1890.

Chili: Law of November 12, 1874.

Congo Free State: Law of April 26, 1888.

Costa Rica: Law of May 22, 1896.

Denmark: Law of April 11, 1890; amended December 19, 1898.

Dutch East Indies: Law of September 30, 1893.

Dutch West Indies: Law of September 30, 1893.

Fiji Islands: Law of April 22, 1886.

Finland: Law of February 11, 1889.

France: Law of June 23, 1857; amended May 3, 1890.

Germany: Law of May 12, 1894.

Great Britain: Laws of August 25, 1883; August 23, 1887; December 24, 1888, and May 11, 1891.

Greece : Law of February 10-22, 1893.  
 Guatemala : Law of November 23, 1897.  
 Hawaii : Law of June 23, 1888.  
 Hongkong : Laws of December 9, 1873 ; August 7, 1890.  
 Hungary : Law of February 4, 1890. (See law of 1890 of Austria.)  
 Italy : Laws of August 30, 1868, and January 16, 1898.  
 Jamaica : Laws of 1888 and 1889.  
 Japan : Law of March 1, 1899.  
 Labuan : Law of November 1, 1893.  
 Leeward Islands : Law of 1887.  
 Luxemburg : Law of March 28, 1883.  
 Mauritius : Law of October 20, 1868.  
 Mexico : Law of November 28, 1889 ; amended December 17, 1897.  
 Natal : Laws of 1885 and October 24, 1888.  
 Netherlands : Law of September 30, 1893.  
 Newfoundland : Law of May 9, 1888.  
 New South Wales : Law of May 26, 1865 ; amended 1893.  
 New Zealand : Law of September 2, 1889.  
 Norway : Law of May 26, 1884.  
 Orange Free State : Law of 1891.  
 Paraguay : Law of August 5, 1892.  
 Peru : Law of December 19, 1892 ; amended December 31, 1895.  
 Portugal : Law of May 21, 1896.  
 Queensland : Laws of October 13, 1884, and November 5, 1890.  
 Roumania : Law of April 15-27, 1879.  
 Russia : Law of February 26-March 9, 1896.  
 Servia : Law of May 30-June 11, 1884.  
 South African Republic : Law of May 31, 1892.  
 South Australia : Law of 1892.  
 Spain : Laws of November 20, 1850 ; July 11, 1851 ; September 1, 1888, and February 12, 1889.  
 Sweden : Laws of July 5, 1884 ; November 28, 1884 ; February 20, 1885 ; March 5, 1895 ; December 31, 1895 ; March 5, 1897, and June 25, 1897.  
 Switzerland : Law of September 26, 1890 ; amended July 30, 1895.  
 Tasmania : Law of September 29, 1893.  
 Trinidad and Tobago : Law of November 19, 1894 ; amended 1897.  
 Tunis : Law of June 3, 1889.  
 Turkey : Law of May 10, 1888.  
 Uruguay : Law of March 1, 1877.  
 Venezuela : Law of May 24, 1887.

Victoria: Law of July 10, 1890; amended December 19, 1890.

Western Australia: Law of October 10, 1894.

In practically all the British possessions, other than those above-named, in which provision is made by law for registration of trade-marks, the merchandise marks act of 1887 of Great Britain has, either in precise terms or in substance, been put in force. Under this act forging or falsely applying a trade-mark to goods is made a punishable offense. The British possessions in which such law has been adopted without requirement of or provision for registration are: Barbados, Bermuda, British Guiana, British Honduras, Falkland Islands, Gibraltar, Gold Coast, Granada, India (British), Lagos, St. Lucia, St. Vincent, Sierra Leone, and Straits Settlements.

In Malta fraudulent use of a trade-mark is punishable under the criminal law. In Colombia fraudulent use of a trade-mark is punishable under the penal code, and though not specifically authorized by law, a register of trade-marks is kept. In Egypt trade-marks are protected against infringement by the courts. In China the trade-marks of foreigners will, to some extent at least, be protected against infringement through diplomatic action.

In all of these countries in which no provision is made for registration it is generally found of importance for the owner of a trade-mark to give ample notice to the public of his claim to the exclusive right to the mark by publishing the mark in newspapers. The protection afforded in these countries is in the nature of protection against unfair competition rather than protection of the property right in the mark.

## Selection of a Trade-Mark.

In the selection of a trade-mark honesty and originality should be the sole guides. In adopting a new trade-mark remember the following necessary rules and observe them: \*

1. Be original.
2. Be attractive.
3. Advertise the merits or qualities of your goods by insinuation, not directly.
4. Be honest. Make no mis-statements of any kind.
5. Do not pander to any depraved taste.
6. Be brief and to the point.
7. Do not imitate the marks of others.
8. Have ideas of your own. Do not copy the ideas of others.
9. Avoid undue puffery.
10. Do not attack the merits of your competitor's wares.

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\* Editor TRADE-MARK RECORD.

# Rules and Forms Adopted by the United States Patent Office for the Registration of Trade-Marks under the Act of March 3, 1881.

## WHO MAY OBTAIN REGISTRATION.

1. (a) Any person, firm, or corporation domiciled in the United States or located in any foreign country which, by treaty, convention, or law, affords similar privileges to citizens of the United States,\* and who is entitled to the exclusive use of any trade-mark and uses the same in commerce with foreign nations or with Indian tribes.

(b) Any citizen or resident of this country wishing the protection of his trade-mark in any foreign country the laws of which require registration in the United States as a condition precedent.

## STATUTORY REQUIREMENTS.

2. Every applicant for registration of a trade-mark must cause to be recorded in the Patent Office—

(a) The name, domicile, and place of business or location of the firm or corporation desiring the protection of the trade-mark, and the residence and citizenship of individual applicants.

(b) The class of merchandise and the particular description of goods comprised in such class to which the trade-mark has been appropriated.

(c) A description of the trade-mark itself, with fac-similes thereof, and the mode in which it has been applied and used.

(d) The length of time during which the trade-mark has been used by the applicant on the class of goods described.

3. A fee of \$25 is required on filing each application, except in the cases hereinafter named.

## THE APPLICATION.

4. An application for the registration of a trade-mark will consist of a statement or specification, a declaration or oath, and the fac-simile with duplicate thereof. The statement and declaration should be written on one side of the paper only.

5. These should be preceded by a brief letter of advice requesting registration and signed by the applicant.

6. The statement should announce the full name, citizenship, domicile, residence, and place of business of the applicant (or, if the applicant be a corporation, under the laws of what State or nation incor-

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\* The following countries have entered into treaty agreements relating to trade-marks with the United States: Austria-Hungary, Belgium, Brazil, Denmark, France, Germany, Great Britain, Italy, Japan, Netherlands, Russia, Servia, Spain, Switzerland.

porated), with a full and clear specification of the trade-mark, particularly discriminating between its essential and non-essential features. It should also state from what time the trade-mark has been used by the applicant, the class of merchandise, and the particular goods comprised in such class to which the trade-mark has been applied to the goods.

7. The declaration should be in the form of an oath by the person, or by a member of the firm, or by an officer of the corporation, making the application, to the effect that the party has at the time of filing application a right to the use of the trade-mark described in the statement; that no other person, firm, or corporation has a right to such use, either in the identical form or in such near resemblance thereto as might be calculated to deceive; that such trade-mark is used in lawful commerce with foreign nations or Indian tribes, one or more of which should be particularly named; and that it is truly represented in the fac-simile presented for registry.

8. This oath may be taken in the United States before a notary public, justice of the peace, or the judge or clerk of any court of record. In any foreign country it may be taken before the secretary of a legation or consular officer of the United States, or before any person duly qualified by the laws of the country to administer oaths, whose official character shall be certified by a representative of the United States having an official seal.

#### FAC-SIMILE TO BE FILED.

9. An applicant for registration of a trade-mark must in every case, which admits of it, furnish a drawing thereof which conforms to the rules for drawings of mechanical patents. If for any reason such drawing does not constitute a satisfactory fac-simile of the trade-mark, two copies of the trade-mark, as actually used, must be deposited in addition to the required drawing, to be preserved in the office for reference.

#### PROCEEDINGS IN THE OFFICE.

10. All applications for registration are considered in the first instance by the trade-mark examiner. An adverse decision by such examiner upon the applicant's right to registration will be reviewed by the Commissioner in person upon petition without fee.

11. No trade-mark will be registered unless it shall be made to appear that the same is used as such by the applicant in commerce between the United States and some foreign nation or Indian tribe, or is within the provisions of a treaty, convention, or declaration with a foreign power, nor which is merely the name of the applicant, nor which is identical with a known or registered trade-mark owned by another and appropri-

ated to the same class of merchandise, or which so nearly resembles some other persons' lawful trade-mark as to be likely to cause confusion in the mind of the public or to deceive purchasers, or which is merely descriptive in its nature.

12. The statement may be amended to correct informalities or to avoid objections made by the office, or for reasons arising in the course of examination; but no amendments will be admitted unless warranted by something in the statement or fac-simile as originally filed. In respect to amendments the established rules in regard to applications for patents will be observed. The declaration cannot be amended. If that filed with the application is faulty or defective, a substitute declaration may be filed.

13. In case of conflicting applications for registration, or in any dispute as to the right to use which may arise between an applicant and a prior registrant, the office will declare an interference, in order that the parties may have an opportunity to prove priority of adoption or right; and the proceedings on such interference will follow, as nearly as practicable, the practice in interferences upon applications for patents; but each applicant and registrant will be held to the date of adoption alleged in the statement filed with his application. On the petition of any party dissatisfied with the decision of the Examiner of Interferences the case will be reviewed by the Commissioner without fee.

14. When these requirements have been complied with, and the office has adjudged the trade-mark lawfully registrable, a certificate will be issued by the Commissioner, under seal of the Interior Department, to the effect that applicant has complied with the law, and that he is entitled to the protection of his trade-mark in such case made and provided. Attached to certificate will be a fac-simile of the trade-mark and a printed copy of the statement and declaration.

15. The protection for such trade-mark will remain in force for thirty years, and may, upon the payment of a second fee, be renewed for thirty years longer, except in cases where such trade-mark is claimed for and applied to articles not manufactured in this country, and in which it receives protection under the laws of any foreign country for a shorter period, in which case it will cease to have force in this country, by virtue of the registration, at same time that the trade-mark ceases to be exclusive property elsewhere.

16. The right to the use of any trade-mark is assignable by an instrument in writing, and provision is made for recording such instrument in the Patent Office. But no such instrument or conveyance will be recorded unless the trade-mark shall have first been registered as pro-

vided by law ; and it must be identified by its certificate number. No particular form of instrument is prescribed.

17. Owners of trade-marks for which protection has been sought by registering them in the Patent Office under the act of July 8, 1870 (declared unconstitutional by the Supreme Court of the United States), may register the same goods, without fee, on compliance with the foregoing requirements. With each application of this character a specific reference to the date and number of the former certificate is required.

18. Applicants whose cases were filed under the act of 1870, either prior to or since the decision of the Supreme Court declaring it unconstitutional, which are now pending before the office, are advised to prepare applications in conformity with the law and foregoing rules. On the receipt of such an application, referring to the date of the one formerly filed, all fees paid thereon will be duly applied. Those who have paid only \$10 as a first fee are advised that the law does not provide for a division of the fee of \$25, and that the remainder of the entire fee is required before the application can be entertained.

COPIES AND PUBLICATIONS.

19. Printed copies of the statement and declaration in each case, with a duplicate of the trade-mark, can be furnished by the Office.

The Official Gazette of the Patent Office will contain a list of all trade-marks registered, with the name and address of the registrant, an illustration of the trade-mark, a brief statement of its essential features, and the particular description of goods to which it is applied.

FEEES.

20. On filing an application for registration of trade-mark . . .	\$25.00
For abstracts of title :	
For the certificate of search . . . . .	1.00
For each brief from the digests of assignments . . . . .	.20
For copies of matter in any language, for every 100 words or fraction thereof . . . . .	.10
For translation, for every 100 words or fraction thereof . . . . .	.50
For recording every assignment, agreement, power of attorney, or other paper, of 300 words or under . . . . .	1.00
For recording every assignment, agreement, power of attorney, or other paper of over 300 words and under 1,000 words . . .	2.00
For recording every assignment, agreement, power of attorney, or other paper of over 1,000 words . . . . .	3.00
For assistance to attorneys and others in the examination of records, one hour or less . . . . .	.50



Each additional hour or fraction thereof . . . . .	.50
For single printed copy of statement and declaration . . . . .	.10
If certified, for the certificate, additional . . . . .	.25
Single copy of Official Gazette . . . . .	.10
Annual subscription Official Gazette . . . . .	5.00

#### CORRESPONDENCE.

21. All letters should be addressed to "The Commissioner of Patents," and all remittances by postal order, check, or draft should be to his order.

22. Letters relating to pending applications should refer to the name of the applicant and of filing. Letters relating to registered trade-marks must refer to the name of registrant, number or date of certificate, and the class of merchandise to which trade-mark is applied.

23. The office cannot undertake to respond to inquiries propounded with a view to ascertain whether certain trade-marks have been registered, or, if so, to whom, or for what goods; nor can it give advice as to the nature and extent of the protection afforded by the law, or act as its expounder, except as questions may arise upon applications regularly filed. A copy of these rules with this paragraph marked will be regarded as a courteous answer to all such inquiries.

## FORMS.

The following forms illustrate the manner of preparing papers for applications for registration of trade-marks. Their use is not absolutely required, but as they have been made to conform to the conditions of the law, applicants will find their business facilitated by following them closely:

#### (1) LETTER OF ADVICE.

*To the Commissioner of Patents:*

The undersigned presents herewith a *fac-simile* of his lawful trade-mark, and requests that the same, together with the accompanying statement and declaration, may be registered in the United States Patent Office in accordance with the law in such cases made and provided.

A. B.

#### (2) STATEMENT BY AN INDIVIDUAL.

*To All Whom it May Concern:*

Be it known that I, A. B., a citizen of the United States, residing at Baltimore, Maryland, and doing business at No. — — street, in said city, have adopted for my use a trade-mark for whiskey, of which the following is a full, clear, and exact specification:

My trade-mark consists of the word-symbol Moonshine. This has

generally been arranged as shown in the accompanying *fac-simile*, which represents a rude still-house surrounded by hills and forests. Three men are engaged variously about, and the scene is illuminated partly by the light of the fire, partly by the moon, which appears in the heavens. Underneath the picture appears the word "Moonshine" in ornamental letters; but the style of lettering is unimportant, and the entire picture may be omitted or changed at pleasure without materially affecting the character of my trade-mark, the essential feature of which is the word-symbol Moonshine.

This trade-mark I have used continuously in my business since July 4, 1876. The class of merchandise to which this trade-mark is appropriated is distilled liquors, and the particular description of goods comprised in said class upon which I use it is whiskey. It is my practice to apply my trade-mark to the bottles containing the liquor by means of suitable labels, on which it is printed in color, as above described. The word is sometimes also blown into the bottles. A. B.

Witnesses :

C. D.

E. F.

(3) STATEMENT OF A FIRM.

*To All Whom it May Concern :*

Be it known that we, C. D. & Co., a firm domiciled in Brooklyn, Kings County, State of New York, and doing business at No. — — street, in said city, have adopted for our use a trade-mark for men's overalls, of which the following is a full, clear, and exact specification.

Our trade-mark consists of the arbitrary word Teuton. This has generally been arranged as shown in the accompanying *fac-simile*, in which it appears in plain black capitals, printed in black, in a horizontal line. But other forms of type may be employed, or it may be differently arranged or colored, without materially altering the character of our trade-mark, the essential feature of which is the word Teuton.

This trade-mark has been used continuously in business by us and those from whom we derive our title since July 11, 1840.

The class of merchandise to which this trade-mark is appropriated is wearing apparel, and the particular description of goods comprised in such class on which it is used by us is men's overalls. It has been our practice to mark our trade-mark on the inside of the waistband of the goods with a stencil, or to print it upon tags which are secured to the goods in any desired manner.

Witnesses :

C. D. & Co.

D. E.

F. G.

(4) STATEMENT BY A CORPORATION.

*To All Whom it May Concern :*

Be it known that the Rocky Mountain Mill Company, a corporation organized under the laws of the State of South Dakota, and located in the city of Garfield, Hancock County, in said State, and doing business in said city of Garfield, and also at Chicago, Illinois, has adopted for its use a trade-mark for wheat flour, of which the following is a full, clear, and exact specification :

The trade-mark of said company consists of a representation of a Rocky Mountain sheep and the words Big Horn. These have generally been arranged as shown in the accompanying *fac-simile*, in which the animal named, popularly known as the "Big Horn," is represented in an erect attitude upon a cliff or rock. In the background are mountains covered with forests, with distant white peaks ; upon the sky portion are the words Big Horn, and arranged in a circle about the whole are the words Rocky Mountain Mill Company in plain capital letters. But these words may be omitted, and the various accessories of the picture may be varied at pleasure, or altogether omitted, without materially altering the character of the said trade-mark, the essential features of which are the words Big Horn and the representation of a Rocky Mountain sheep.

This trade-mark has been continuously used by said corporation since about the middle of October, 1884.

The class of merchandise to which this trade-mark is appropriated is flour, and the particular description of goods comprised in such class on which it is used by the said company is wheat flour. It is usually affixed to the goods by printing it on the bags, or stenciling it on the heads of barrels in which the flour is packed.

ROCKY MOUNTAIN MILL COMPANY.  
By G. F., *President*.

Witnesses : \*

J. H.  
L. K.

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(5) DECLARATION.

STATE OF ———, COUNTY OF ———, ss :

A. B., being duly sworn, deposes and says that he is the applicant named in the foregoing statement ; that he verily believes that the foregoing statement is true ; that he has at this time a right to the use of the trade-mark therein described ; that no other person, firm, or corporation

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\* If the corporation have a seal it may be used to authenticate the signature of the officer.

has the right to such use, either in the identical form or in any such near resemblance thereto as might be calculated to deceive; that it is used by him in commerce between the United States and foreign nations or Indian tribes, and particularly with —— (*here name one or more foreign nations or Indian tribes, or both, as the case may be;*) and that the description and *fac-similes* presented for record truly represent the trade-mark sought to be registered.

A. B.

Sworn and subscribed before me, a ——, this —— day of ——, 18 —.

G. H., *J. P.*

If the application is made by a firm or corporation, this declaration should be modified accordingly. Thus—

*For a firm.*

A. B., being duly sworn, deposes and says that he is a member of the firm, the applicant named, etc., \* \* \* that the trade-mark is used by the said firm in commerce, etc,

*For a corporation.*

A. B., being duly sworn, deposes and says that he is secretary (*or other officer*) of the corporation, the applicant named in the foregoing statement, etc., \* \* \* that the trade-mark is used by said corporation in commerce, etc.

(6) AMENDMENT.

*To the Commissioner of Patents :*

In the matter of my application for registration of trade-mark for watches, No. 5319, filed June 11, 1876, I desire to amend my statement as follows :

Page 1, line 16, cancel the words “ the arbitrary word Zenith,” and insert in the place thereof the following : *the representation of a five-pointed star, having the word Zenith printed across its face.*

Same page, line 20, erase “ about four years ” and insert *since July 1st, 1872.*

A. B.

By P. & Q.,

*His Attorneys.*

Dated GENEVA, SWITZERLAND, *October 1, 1876.*

## **Examples of Trade-Mark Specifications.**

On pages 36 to 45 inclusive are presented reproductions of trade-mark specifications covering the three general classes of trade-marks, viz. : words, phrases or word symbols ; pictorial representations ; and figures. The trade-mark of the Proctor and Gamble Co. covering not only the word "Amber" as applied to soap, but also to the printing and design upon the wrapper has been included as illustrating a very comprehensive plan for protection.

**TRADE-MARK.**

No. 34,110.

Registered Jan. 30, 1900.

**JAMES S. KIRK & CO.  
CERTAIN NAMED TOILET PREPARATIONS.**  
(Application filed Dec. 26, 1899.)

# USONA

*Witnesses,  
D. J. Mann,  
Frederick Goodwin*

*Proprietors,  
James S. Kirk & Co.  
By Alfred S. Smith, Attorney  
Atty.*

# UNITED STATES PATENT OFFICE.

JAMES S. KIRK & CO., OF CHICAGO, ILLINOIS.

## TRADE-MARK FOR CERTAIN NAMED TOILET PREPARATIONS.

STATEMENT and DECLARATION of Trade-Mark No. 34,110, registered January 30, 1900.

Application filed December 26, 1899.

### STATEMENT.

*To all whom it may concern:*

Be it known that we, JAMES S. KIRK & CO., a firm composed of JAMES A. KIRK, JOHN B. KIRK, and MILTON W. KIRK, citizens of the United States, domiciled in Chicago, in the county of Cook and State of Illinois, with our principal business location in said city, have adopted for our use a trade-mark for laundry and toilet soap, glycerin, soap powder, cologne, extracts, odors, essences, cosmetics, lotions, and toilet waters, of which trade-mark the following is a full, clear, and exact statement or specification.

Our trade-mark consists of the arbitrarily selected word-symbol "Usona." We have coined or originated this fanciful word for the express purpose of adopting the same as a trade-mark in connection with our business, no such word having been previously used or known to the English language.

In the facsimile filed herewith we have represented our said trade-mark as employed on labels for the outside of boxes containing laundry soap of our manufacture. When used for labels for toilet soap or for labels suitable for the other articles enumerated, letters of less size are usually employed, and it is customary to secure attractiveness by using lettering which is both ornamental and of varying proportions. It is immaterial, however, as to the size, style, or color of the letters employed for said trade-mark word or as to the arrangement of the same, or as to the color of the ground on which said word appears, the essential and paramount feature of said trade-mark consisting of the word-symbol "USONA."

Different styles and sizes of letters may be used for such trade-mark word, as well as different colors, or a combination of different shades of coloring for the letters comprising said word, as well as for the ground on which the same appears, it being our custom in the numerous applications of said trade-mark word to the various articles herein specified not to

limit the use of such trade-mark to any particular size, or style, or coloring of letters, nor to any particular ground upon which the same appears, either upon labels or otherwise, in connection with said goods. We do not wish, however, by anything herein contained to in any way abridge any rights which we may have to any of the labels on which we print our said trade-mark, nor to any of the labels, stamps, molds, or brands originated, designed, and used by us in connection with our said trade-mark either as a whole or as to any part or parts thereof.

The class of merchandise to which this trade-mark is applied is soap, perfumery, and toilet preparations, and the particular description of the goods with which we use said trade-mark is laundry and toilet soap, glycerin, soap powder, cologne, extracts, odors, essences, cosmetics, lotions, and toilet waters.

The method by which said trade-mark has been and is applied to the articles enumerated of our manufacture is usually by printing the same on labels for the outside of boxes in which such articles are packed, as well as on labels for packages and bottles; by printing the same upon labels or wrappers for folding or wrapping around cakes of soap, as well as by impressing the same upon or into cakes of soap by the use of suitable molds or dies, or the same may be engraved, printed, stenciled, or otherwise affixed, or may be used in any manner or way calculated to give notice or to designate that such goods are of our manufacture and to cause the same to be known to the public and to the trade, as well as to our customers, by the employment of said distinguishing trade-mark or identification. The places, as well as the manner, of application, whether by printing on labels, by the use of molds, or dies, or by stenciling are, however, entirely immaterial, as any other method of applying the same may be followed.

It is the intention of our firm to use said trade-mark in every lawful manner at will,

as may be deemed expedient, for the purpose of guarding against fraudulent imitations or deceptions.

We, in addition, use our said trade-mark 5 "Usona" by having the same printed on circulars, show-cards, bill-heads, and in other advertisements.

This trade-mark was adopted by us for use in our business on or about the 1st day of

July, 1899, and has been since used for the 70 purposes aforesaid.

JAMES S. KIRK & CO.,  
By MILTON W. KIRK,  
*A member of said firm.*

Witnesses:

HENRY SCHOENECK,  
JACOB L. OESTMANN.

#### DECLARATION.

State of Illinois county of Cook, ss.

MILTON W. KIRK, being first duly sworn, deposes and says that he is a member of the firm named in the foregoing statement; that he 5 verily believes that the foregoing statement is true; that said firm has at this time a right to the use of the trade-mark therein described; that no other person, firm or corporation, has the right to such use, either in the 10 identical form, or in any such near resemblance thereto, as might be calculated to deceive; that it is used by said firm in commerce with the United States and foreign na-

tions, or Indian tribes, and particularly with the Dominion of Canada, and that the de- 15 scription and facsimile presented for record fully represent the trade-mark sought to be registered; and that he and the other members of said firm are citizens of the United States.

MILTON W. KIRK.

Subscribed and sworn to before me this 29th day of November, A. D. 1899.

[L. S.] GEORGE SCHIROEDER,  
*Notary Public.*



TRADE-MARK

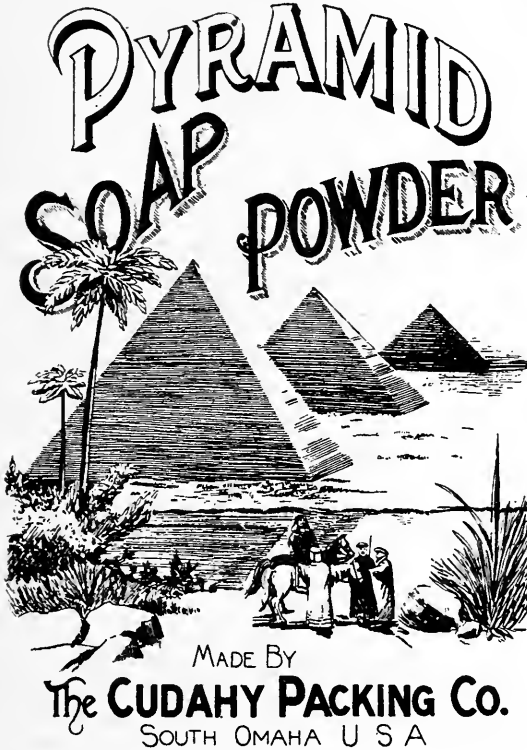
No. 32,079.

Registered Oct. 18, 1898.

THE CUDAHY PACKING COMPANY.

SOAP POWDERS.

(Application filed May 20, 1898.)



WITNESSES:

*John A. Russell*

*H. Hugo B. Franzel*

PROPRIETOR:

THE CUDAHY PACKING CO.,

BY

*Fred C. Praentzel*,  
ATTORNEY

THE MORRIS PETERS CO. PHOTO-LITHO, WASHINGTON D. C.

# UNITED STATES PATENT OFFICE.

THE CUDAHY PACKING COMPANY, OF SOUTH OMAHA, NEBRASKA, AND  
CHICAGO, ILLINOIS.

## TRADE-MARK FOR SOAP POWDERS.

STATEMENT and DECLARATION of Trade-Mark No. 32,079, registered October 18, 1898.

Application filed May 20, 1898.

### STATEMENT.

*To all whom it may concern:*

Be it known that THE CUDAHY PACKING COMPANY, a corporation organized under the laws of the State of Illinois, and located in the city of South Omaha, county of Douglas, and State of Nebraska, with offices at No. 763 Rookery Building, in the city of Chicago and State of Illinois, has adopted for its use a Trade-Mark for Soap Powders, of which the following is a full, clear, and exact description.

The trade-mark of said corporation consists of the word-symbol "Pyramid" and the representation of three pyramids, a stream in the foreground, an arrangement of tropical trees and shrubbery, several horses, and persons engaged in conversation. These have generally been arranged as shown in the accompanying facsimile, in which there is a pictorial representation of pyramids placed in a row one behind the other, and in the foreground there is a stream. In the foreground on one of the shores of the stream the picture is provided with an arrangement of tropical trees and shrubbery. Several men, with their horses, representing Arab travelers, are engaged in conversation on the shore between the said representation of trees and shrubbery in the foreground of the picture, and the scene is further illuminated partly with a representation of rocks on the one shore of the stream and with grasses on the other shore of the stream. Upon the sky, directly above the picture, appear the words "Pyramid" and "Soap-Powder" in ornamental letters, and directly beneath the picture appear, in plain black capital letters, the words and letters "Made by The Cudahy Packing Co., South Omaha, U. S. A." The words "Pyramid" and "Soap-Powder" are usually printed in ornamental black letters; but the style of lettering is unimportant, and, in fact, on the packages in which the goods are sold the word "Pyramid" is printed in red with black shading, while the words "Soap-Powder" are printed in blue with white and black shading, and also the words "Made By" and "South Omaha, U. S. A." are printed in blue, with the words "The Cudahy Packing Co." appearing in red. It will be under-

stood, however, that other forms of type may be employed, or said words may be differently arranged, or said several words and letters and the picture may be variously and differently colored, and the various ornamental accessories entirely omitted. Furthermore, the picture may be entirely omitted and the word "Pyramid" used independently of such picture, or the said word may be entirely omitted and the picture used by itself, or, if desired, both said word "Pyramid," either with or without the words "Soap-Powder" and "Made by The Cudahy Packing Co., South Omaha, U. S. A.," and the picture may be used together to indicate the origin of the goods without materially altering the character of said trade-mark, the essential features of which are the word "PYRAMID" and the pictorial representation of three pyramids, a stream in the foreground, an arrangement of tropical trees and shrubbery, several horses, and persons engaged in conversation.

This trade-mark has been used by the said corporation since about December 1, 1897.

The class of merchandise to which this trade-mark is applicable is soap, and the particular description of goods comprised in such class on which it is used is soap powders.

It has been the practice of this corporation to apply this trade-mark to the packages containing the goods by being printed thereon in any desirable color or colors or by being affixed to the packages by means of suitable labels or wrappers on which it is printed in any desirable color or colors, or it may be otherwise applied to the goods or used in any usual and lawful manner in which a trade-mark may be used to designate the origin of the goods.

The trade-mark of this corporation may also be used on its bill and letter heads, cards, circulars, posters, and other mediums of advertising in any desired manner.

[L. s.]

THE CUDAHY PACKING CO.,  
By MICHAEL CUDAHY,  
President.

Witnesses:

O. B. KURTH,  
J. B. INGLIS,

## DECLARATION.

State of Illinois county of Cook ss:

MICHAEL CUDAHY, being duly sworn, deposes and says, that he is the president of the corporation, the applicant named in the foregoing statement; that he verily believes that the foregoing statement is true; that said corporation has at this time a right to the use of the trade-mark therein described; that no other person, firm, or corporation has the right to such use, either in the identical form or in any such near resemblance thereto as might be calculated to deceive; that the trade-mark is used by said corporation in commerce

between the United States and foreign nations or Indian tribes, and particularly with Great Britain; and that the description and facsimile sought to be registered and presented for record truly represent the trade-mark sought to be registered.

MICHAEL CUDAHY,

Sworn to and subscribed before me, a notary public, this 17th day of May, 1898.

[L. S.]

J. F. MCILHENY,  
*Notary Public of Cook Co., Ills.*

TRADE-MARK.

No. 33,688.

Registered Nov. 7, 1899.

IOWA SOAP COMPANY.

TOILET SOAP.

(Application filed Nov. 13, 1897.)

4

Witnesses

Edmund B. H. Tower Jr  
Robert D. Lewson

Iowa Soap Co

Proprietor.

Edmund B. H. Tower Jr  
Attorney

# UNITED STATES PATENT OFFICE.

IOWA SOAP COMPANY, OF BURLINGTON, IOWA.

## TRADE-MARK FOR TOILET SOAP.

STATEMENT and DECLARATION of Trade-Mark No. 33,688, registered November 7, 1899.

Application filed November 13, 1897.

### STATEMENT.

*To all whom it may concern:*

Be it known that the IOWA SOAP COMPANY, a corporation organized and existing under the laws of the State of Iowa, and doing business at the city of Burlington, State of Iowa, has adopted for its use a Trade-Mark for Toilet Soap, of which the following is a full, clear, and exact description.

The trade-mark of the said company consists of the numeral "4." This has generally the appearance disclosed in the accompanying facsimile, in which it is shown in plain block type; but other forms of type may be employed without materially altering the character of said trade-mark, the essential feature of which is the numeral "4."

This trade-mark has been used continuously by said corporation since July 1, 1897.

The class of merchandise to which this trade-mark is appropriated is soap, and the particular description of goods comprised in such class on which it is used is toilet soap. It is usually affixed to the goods by impressing it in cakes of soap or printing it upon wrappers containing the soap, or it may be stenciled upon or printed on labels attached to boxes or packages containing the soap manufactured by said company.

IOWA SOAP COMPANY.  
By THEOPHILUS W. ALEXANDER,  
*President.*

Witnesses.

JOS. N. KOLZ,  
VICTOR S. JOHNSON.

### DECLARATION.

State of Iowa county of Des Moines.

THEOPHILUS W. ALEXANDER, being duly sworn deposes and says that he is president of the corporation, the applicant named; that he verily believes that the foregoing statement is true; that it has at this time a right to the use of the trade-mark therein described; that no person, firm or corporation has the right to use such, either in the identical form or in such near resemblance thereto as might be calculated to deceive; that the trade-mark is used by the said corporation in commerce between the United States and foreign na-

tions or Indian tribes, and particularly with Canada and Great Britain; and that the description and facsimiles presented for record truly represent the trade-mark sought to be registered; and that this is a supplemental oath to applicant's application No. 54,579, filed November 13, 1897.

THEOPHILUS W. ALEXANDER.

Sworn to and subscribed before me this 3d day of June, 1898.

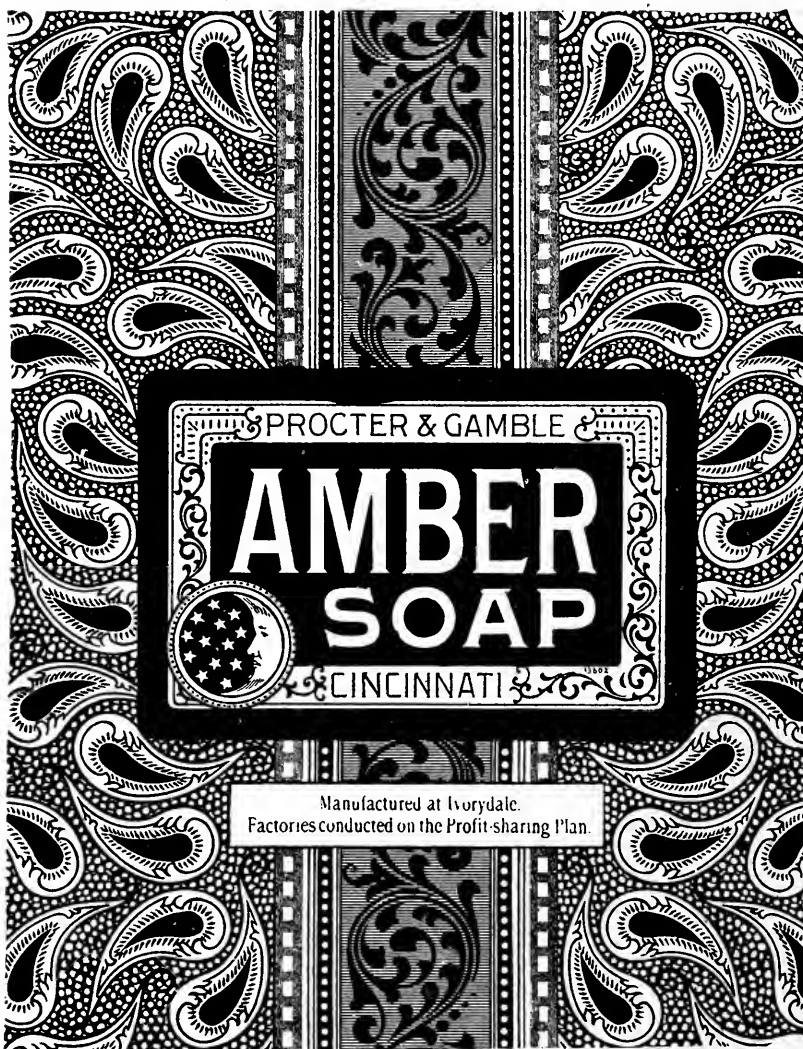
[L. s.]

JOS. N. KOLZ,  
*Notary Public.*

TRADE-MARK  
—o—  
THE PROCTER & GAMBLE COMPANY  
SOAP.

No. 30,568

Registered Sept. 21, 1897



Witnesses:  
*John A. Pettit*  
*Alvin B. Biddle*

Proprietor  
*The Procter & Gamble Company*  
*By Wm. H. Thompson, Secy.*  
*Attorney*

(THE MORRIS PETERS CO. PHOTO-LITHO. WASHINGTON D. C.)

# UNITED STATES PATENT OFFICE.

THE PROCTER & GAMBLE COMPANY, OF CINCINNATI, OHIO.

## TRADE-MARK FOR SOAP.

STATEMENT and DECLARATION of Trade-Mark No. 30,568, registered September 21, 1897.

Application filed August 6, 1897

### STATEMENT.

To all whom it may concern:

Be it known that THE PROCTER & GAMBLE COMPANY, a corporation organized under the laws of the State of New Jersey, with its principal business location in the city of Cincinnati, in the county of Hamilton and State of Ohio, has adopted for its use a Trade-Mark for Soap, of which trade-mark the following is a full, clear, and exact specification.

Said trade-mark consists of the matters and things arranged as shown in the accompanying facsimile, which is described as follows, to wit: As its most striking part a heavily-lined parallelogram with rounded corners having as its most prominent characteristic in fancy block-lettering the word-symbol "Amber," followed in a line below by the word "Soap," and in the left-hand lower corner a circular device, the same being its long-established general trade-mark, consisting of a crescent moon looking toward thirteen stars on a solid ground. Above said word-symbol is the name "Procter & Gamble" and in a corresponding position below the name "Cincinnati" and an ornamental bordering that need not here be verbally described, all being within said parallelogram. Perpendicular to the same is a ribbon of ornamental scrollwork with a bordering, and to the right and left a ground of conventional palm-leaves, the whole constituting a large parallelogram, on which the smaller one is supposed to be laid.

The trade-mark of which the word-symbol is a part was duly registered in the Patent

Office of the United States, and a certificate of registration, No. 9,841, dated November 28, 1882, was issued to the firm of Procter & Gamble, the predecessors in business of this applicant, since incorporated, and now the owner of this and other trade-marks, &c., of said firm.

The essential features of this trade-mark are the word-symbol "AMBER" and the ornamental scrollwork and other of the fanciful delineation composing the larger parallelogram.

The class of merchandise to which the said trade-mark is appropriated is soap, and the particular description of goods comprised in such class is a well-known kind of the manufacture of this corporation.

The mode in which the said trade-mark is applied and affixed to goods is by folding it in printed wrappers and in appropriate colors, mostly in amber tints, but it may be printed in any desirable way and be used in any manner calculated to give notice of the contents of packages and to guard against fraudulent imitations.

This trade-mark was adopted by this corporation as a whole on or about the 29th day of March, in the year 1897, and has ever since been used by it for the purpose mentioned.

THE PROCTER & GAMBLE COMPANY.

By HASTINGS L. FRENCH,  
A Secy

Witnesses:

THOS. C. SHIPLEY,  
JNO. W. HERRON, Jr

### DECLARATION.

State of Ohio county of Hamilton city of Cincinnati, ss:

HASTINGS L. FRENCH being duly sworn, deposes and says, that he is assistant secretary of THE PROCTER & GAMBLE COMPANY, a corporation, in the foregoing application named; that he verily believes that the foregoing statement is true; that said corporation at this time has a right to the use of the trade-mark described in the foregoing statement or specification, and now sought to be registered, and that no other person, firm, or corporation, has the right to such use, either in the identical form or in any such near resem-

blance thereto as might be calculated to deceive; that the said trade-mark is used by the present applicant in commerce among the several States, as well as that with foreign nations, to wit: the Dominion of Canada, &c., and that the description and facsimiles herewith presented for registry truly represent the said trade-mark.

HASTINGS L. FRENCH

Sworn and subscribed before me, a notary public, on this 27th day of July, 1897.

[L. s.] LOUIS A. BROWNBECK,  
Notary Public, Hamilton County, Ohio.

## **Chapter III.**

### **Classification of Registered Trade-Marks.**

The almost infinite variety of articles to which trade-marks are customarily affixed in the ordinary transactions of commerce are divided into seventy-seven distinct classes, according to the following alphabetical arrangement :

1. Agricultural implements. (See Title 41, 73.)
2. Baking powder and yeast.
3. Beverages. (See Title 42.)
4. Blacking and leather dressing. (See Title 12.)
5. Boots, shoes, and lasts. (See Title 57.)
6. Brooms and brushes.
7. Buttons. (See Title 22.)
8. Canned goods. (See Title 16, 26.)
9. Carpets, etc.
10. Cement, plaster, and bricks.
11. Cigars and cigarettes. (See Title 71.)
12. Cleaning and polishing preparations. (See Title 4.)
13. Coffee and tea.
14. Confectionery.
15. Corsets. (See Title 75.)
16. Cured meats. (See Title 8, 26, 37.)
17. Cutlery and edge tools. (See Title 73, 68.)
18. Dairy products.
19. Dentistry.
20. Drugs and chemicals. (See Title 44, 53, 72.)
21. Dry goods. (See Title 22, 69.)
22. Fancy goods. (See Title 7, 21, 30, 47.)
23. Fertilizers.
24. Firearms, ammunition, and explosives.
25. Flour.
26. Food and relishes. (See Title 8, 16.)
27. Fuel.
28. Games and toys. (See Title 46.)



29. Glassware. (See Title 32, 55.)
30. Gloves. (See Title 22.)
31. Headwear.
32. Household articles. (See Title 29, 35, 55.)
33. Inks. (See Title 65.)
34. Iron, steel, and manufactures. (See Title 41, 73.)
35. Jewelry and plated ware. (See Title 32, 70.)
36. Lamps, lanterns, etc. (See Title 29.)
37. Lard and tallow. (See Title 16.)
38. Laundry articles. (See Title 61, 64.)
39. Leather and saddlery.
40. Locks and hardware. (See Title 72, 73.)
41. Machines. (See Title 1, 34, 73.)
42. Malt liquors. (See Title 3.)
43. Matches.
44. Medical compounds. (See Title 20, 53, 72.)
45. Miscellaneous.
46. Musical instruments. (See Title 28.)
47. Needles and pins. (See Title 22.)
48. Oils and lubricants. (See Title 51.)
49. Optic and measuring instruments. (See Title 73.)
50. Packing. (Machinery.)
51. Paints and painters' supplies. (See Title 48.)
52. Paper and envelopes. (See Title 65.)
53. Poisons for animals. (See Title 20, 44.)
54. Publications.
55. Receptacles. (See Title 29, 32.)
56. Rope, cord, and twine. (See Title 59.)
57. Rubber goods. (See Title 5, 69.)
58. Sewing machines and attachments. (See Title 41, 73.)
59. Sewing silk, cotton, and thread. (See Title 56.)
60. Shirts, collars, and cuffs. (See Title 75.)
61. Soap. (See Title 38, 72.)
62. Spices, mustard, and salt. (See Title 26.)
63. Spirituous liquors. (See Title 42, 77.)
64. Starch, corn starch, and products. (See Title 26, 38.)
65. Stationery miscellany. (See Title 33, 52.)
66. Stoves and heaters.
67. Sugar, sirup, and molasses.
68. Surgical instruments and appliances. (See Title 17.)
69. Tailoring and clothing. (See Title 21, 57.)

- 70. Time-keeping instruments. (See Title 35.)
- 71. Tobacco and snuff. (See Title 11.)
- 72. Toilet articles and preparations. (See Title 20, 61.)
- 73. Tools and devices.
- 74. Umbrellas, parasols, and canes.
- 75. Underwear and furnishings. (See Title, 15, 60.)
- 76. Vehicles.
- 77. Wines. (See Title 3, 42, 63.)

## Chapter IV.

### The Advantages of Registration.

Since the common law provides absolute ownership to the original user of a trade-mark and further protects him in the possession of that property against infringement, through priority of use, the chief advantage of registration under the present law lies in the opportunity to prosecute infringers in the Federal courts. Registration at Washington not only admits of a certain degree of publicity through the announcement in the trade press and in the Patent Office *Record* of such registration, but grants a certain prestige to the manufacturer from the privilege of use of the phrase "Trade-mark Registered." This feature of legal registration is inconsequential when it is often the custom to compile the trade names used in any particular industry for the use of trade-mark owners identified with it. This compilation gives the requisite publicity to all brands contained therein and is amply sufficient to protect any lawful user of a trade-mark against any unintentional use of his property, thereby warding off much vexatious correspondence and sometimes more expensive litigation.

Registration at Washington creates no privileges, but merely records a claim to an exclusive use. Adoption and use creates a trade-mark. The owner of a trade-mark, whether registered or unregistered, in case of infringement, must protect that right by the same process of law. Registration provides no legal aid to ownership beyond the establishment of a given date of use. If a person has registered a trade-mark, supposing that he had title to it by virtue of priority of use, but afterwards discovers that he was mistaken in this supposition, his plain legal duty is to abandon the trade-mark. The real owner, he who was the first to use the mark, need not make application anywhere in order to perfect his title, but he may go into court and prevent any other person from using his mark upon the same kind of goods, whether the latter has registered the trade-mark or not.

### Does Registration at Washington Protect?

The trade-mark act of March 3, 1881, is not only merely declaratory in that it does not make the right of property in any trade-mark depend

for its inceptive existence or support upon the requirements contained therein, but, as has been above pointed out, it adds nothing to the common law so far as concerns the prevention or redress of infringements of trade-marks registered in compliance with its provisions. The law thus contains nothing which is effective to induce, much less compel, the owners of trade-marks to register them. It gives at most a mere color of protection. It provides a means by which owners of certain trade-marks may, if they choose, give notice of their claims to an exclusive right in such marks, warning mankind against trespassing upon such rights, but does not make such notice effective to give the registrant any substantial advantage against infringers which he may not have without registration. It permits registration without requiring it.

Further, this act provides for the registration only of trade-marks used in commerce with foreign nations or with the Indian tribes, not even permitting owners of trade-marks used in the internal commerce of this country to give notice to their claim of an exclusive right in their marks, to warn others against trespassing upon such rights.

The following legal opinions will suffice to disclose the inadequacy of the present system of registration under the existing law :

"The act of Congress makes the registration of a trade-mark only *prima facie* evidence of ownership. The inquiry is therefore always open as to the validity of the title to a trade-mark evidenced by the registration. The registration could not confer a title to the trade-mark upon the complainant, if some other corporation or individual had acquired a prior right by adoption and use; nor could it vest defendant with a title as against the complainant's common-law title."—*Glen Cove Mfg. Co., v. Ludeling*, 22 Fed. Rep. 824.

"Injunction to restrain defendants from continuing to use their trade-mark, refused on the ground that the registration of the complainant's mark did not give him a right to interfere with the continued use by the defendants of a mark which they had acquired a right to use before the registration of the complainant's mark."—*Smith v. Reynolds*, U. S. C. C. S., Dt. of New York, 13 Bl. C. O. 458.

"A certificate by the commissioner of patents of registration as a trade-mark, does not preclude the court from considering whether a mark placed upon the registry was a good one or not."—*Moorman v. Hoge*, U. S. C. C. Dt. of Cal. 2 Sawyer 78.

"Registration under the act of 1881 is of but little, if any value, except for the purpose of creating a permanent record of the date of adoption and use of the trade-mark."—*Hennessy v. Braunschweiger & Co.*, 89 Fed. Rept. 664.

"Federal registration is, therefore, practically useless, owing to the failure of Congress to cover, in the purview of the act of 1881, trade-marks employed in commerce between the States."—*Hopkins Unfair Trade*, page 212.

## Best Procedure Under Such Conditions.

Under the conditions above stated the best policy in that it is at once the cheapest and most effective under ordinary circumstances, is to forward the name of a trade-mark as soon as adopted and used to the Soap Gazette and Perfumer for registration. This involves no expense and insures a degree of publicity which will protect against unintentional infringement and further insure perfect right to ownership by the opportunity for comparison with existing marks or brands. Later legal registration, although no more reliable, may be made, if desired.

## Foreign Registration of Trade-Marks.

Frequent illustrations drawn from the experience of American manufacturers who are engaged in export trade emphasize the necessity for taking all possible precautions for the protection of trade-marks in foreign countries. It is not generally known or at least does not seem to be generally borne in mind by American manufacturers, that unless they register their trade-marks in a foreign country they are absolutely without any protection, or, indeed, any proprietary rights to their mark. Anyone who desires to register a trade-mark can do so without being compelled to prove his right to use the mark, and thus every American manufacturer whose marks are not registered abroad runs the risk of losing all his rights in them through their registration by other parties.

## Cost of Trade-Mark Registration in Foreign Countries.

The figures given below include both government and attorney fees.

Argentine Republic. . . . .	\$115 00	Chile . . . . .	115 00
Austria . . . . .	75 00	China (Empire). . . . .	165 00
Barbados . . . . .	75 00	Colombia . . . . .	85 00
Belgium . . . . .	75 00	Costa Rica. . . . .	135 00
Bermuda. . . . .	85 00	Denmark . . . . .	75 00
Bolivia . . . . .	115 00	Dutch East Indies . . . .	80 00
Brazil. . . . .	85 00	Dutch West Indies Curacao	80 00
British Guiana . . . . .	115 00	Dutch West Indies Surinam	80 00
British Honduras. . . . .	85 00	Egypt . . . . .	85 00
British South Africa . . .	135 00	Falkland Islands.. . . .	85 00
Bulgaria. . . . .	115 00	Fiji Islands . . . . .	95 00
Canada-General . . . . .	60 00	Finland.. . . .	85 00
Canada-Special. . . . .	60 00	France. . . . .	75 00
Cape Colony.. . . .	115 00	Germany . . . . .	75 00
Ceylon. . . . .	100 00	Gibraltar . . . . .	85 00

Gold Coast Colony.. . . .	115 00	Peru. . . . .	145 00
Great Britain . . . . .	75 00	Portugal. . . . .	75 00
Greece. . . . .	85 00	Portuguese Colonies . . .	75 00
Grenada . . . . .	145 00	Queensland' . . . . .	75 00
Guatemala. . . . .	115 00	Roumania .. . . .	110 00
Hawaii . . . . .	85 00	Russia. . . . .	85 00
Holland.. . . .	75 00	St. Lucia. . . . .	100 00
Hong Kong . . . . .	145 00	St. Vincent . . . . .	100 00
Hungary . . . . .	75 00	Servia . . . . .	85 00
India . . . . .	75 00	Sierra Leone . . . . .	115 00
Italy . . . . .	80 00	South African Republic..	125 00
Jamaica .. . . .	115 00	South Australia . . . . .	75 00
Lagos.. . . .	115 00	Spain... . . . .	75 00
Leeward Islands . . . . .	113 00	Straits Settlements.. . . .	115 00
Luxembourg . . . . .	75 00	Sweden . . . . .	75 00
Malta.. . . .	100 00	Switzerland . . . . .	75 00
Mauritius.. . . .	115 00	Tasmania . . . . .	75 00
Mexico . . . . .	100 00	Trinidad. . . . .	85 00
Natal.. . . .	115 00	Tunis. , . . . .	85 00
Newfoundland.. . . .	100 00	Turkey . . . . .	100 00
New South Wales . . . . .	75 00	Uruguay. . . . .	145 00
New Zealand. . . . .	75 00	Venezuela.. . . .	100 00
Norway.. . . .	75 00	Victoria.. . . .	75 00
Orange Free State . . . . .	115 00	Western Australia... . .	75 00
Paraguay . . . . .	100 00	Zululand. . . . .	145 00

## Chapter V.

### Life of a Trade-Mark.

According to the unsatisfactory law of March 3, 1881, "a certificate of registry shall remain in force for thirty years from its date," and "at any time during the six months prior to its expiration such registration may be renewed on the same terms and for a like period." Common law, however, determines that ownership continues during use and relapses only from its discontinuance. What length of time shall constitute a relapse of ownership remains, in the event of controversy, to be decided by the courts.

### Simultaneous Expiration of Trade-mark and Patent.

It is a well-known principle of law that a trade-mark right in a patented article expires with the patent, provided that it was not vested in the owner before the application for the patent. Up to the present time, reports the *Scientific American*, the cases to which this principle has been applied have involved merely trade-marks and patents in the same country. The question arises: If the patent on the article is granted in one country, and the trade-mark right exists in another country, does the trade-mark become public property when the patent expires? The question was recently decided by the Supreme Court of the United States in the matter of the Holzapfel's Compositions Company, Ltd., *vs.* the Rahtjen's American Composition Company. The evidence showed that some time between 1860 and 1865 a German inventor, John Rahtjen, invented a paint which proved particularly serviceable as a covering for ships' bottoms. Rahtjen sent his paint to England and to the United States, marking it "Rahtjen's Patent Composition Paint." Not until 1873 was a patent secured on the paint. That patent was obtained in England and expired at the end of seven years, because the inventor had not fulfilled certain official requirements. Rahtjen subsequently assigned the right to make his paint to an English firm (the appellant in the present case) and to an American firm (the respondent). The respondent began this suit in equity to restrain the appellant from using the trade-mark which the respondent averred it had acquired in

the name "Rahtjen's Composition." A United States trade-mark was registered in 1885, subsequently to the expiration of the English patent, and subsequently to the time when the appellant company had commenced to manufacture the paint as "Rahtjen's Composition, Holzappel's Manufacture," and had sent it to the United States under that name.

Prior to November, 1873, the article was not patented anywhere. Therefore the Court held that a description of it as a patented article had no basis in fact and was a false statement tending to deceive. A symbol or label claimed as a trade-mark so worded as to contain a distinct assertion which is false will not be recognized, nor can any right to its exclusive use be maintained. After 1873 the words "Rahtjen's Patent Composition" must have referred to the English patent, since there was no other. As the right to use the word depended upon the British patent, the Court believed that the right so to designate the composition fell with the expiration of that patent, and became public property, as a description of the article. The Court found that the name given to the article was essentially descriptive, although the name of the inventor was an element. The inventor had called his product by a certain name. When the right to make it became public, how else could it be sold than by the name used to describe it? And when a person having the right to make it describes the composition by its name, and so distinctly said it was manufactured by him that no doubt could arise, how can it be held, the Court asked, that there was any infringement of the trademark by employing the only term possible to describe the article, the right to manufacture which was open to all? Necessarily the right to manufacture and the right to use the only word descriptive of the article both became public property simultaneously. The exclusive right to use the only name which describes the composition could not be retained after the expiration of the patent; and no such right could be claimed by virtue of a valid trade-mark antedating the patent, for there was none. To strengthen its position the Court cites the case of the Singer Manufacturing Company *vs.* June Manufacturing Company, in which, however, both the patent and the trade-mark were domestic.

## What May Become a Trade-Mark.

The general doctrine of the law as to trade-marks, the symbols or signs which may be used to designate products of a particular manufacture, and the protection which the courts will afford to those who originally appropriated them, are not controverted. Every one is at liberty



to affix to a product of his own manufacture any symbol or device, not previously appropriated, which will distinguish it from articles of the same general nature manufactured or sold by others, and thus secure to himself the benefits of increased sale by reason of any peculiar excellence he may have given it. The symbol or device thus becomes a sign to the public of the origin of the goods to which it is attached, and an assurance that they are the genuine article of the original producer. In this way it often proves to be of great value to the manufacturer in preventing the substitution and sale of an inferior and different article for his products. It becomes his trade-mark, and the courts will protect him in its exclusive use, either by the imposition of damages for its wrongful appropriation or by restraining them to account for profits made on a sale of goods marked with it.—*Manufacturing Co. v. Trainer* (101 U. S., 51).

A trade-mark may consist of any symbol or any form of words, but as its office is to point out distinctively the origin or ownership of the articles to which it is affixed, it follows that no sign or form of words can be appropriated as a valid trade-mark which, from the nature of the fact conveyed by its primary meaning, others may employ with equal truth, and with equal right for the same purpose.

Arbitrary words or devices used and protected as a trade-mark for one class of merchandise, can be used as a trade-mark for any other class of merchandise.

All original users and adopters of any arbitrary words, or original marks, designs or devices not previously used for the special class of merchandise to which they may be applied, and where such words are not descriptive of kind or quality, become the exclusive owners of such trade-marks, and are fully protected under the Common Law Right of Ownership.

“Every person or corporation has the right to the use of his or its own name as a trade-mark, subject to the qualification that the use of the name is not accompanied by circumstances indicating an intention to mislead the public.” *Browne, Trade-Marks*, pas. 137, 427. The restriction of the use of a man’s own name by the courts is founded on the very familiar maxim of equity “that every one must so use his own as not to occasion injury to his neighbor.”

## **What Can Not Become a Trade-Mark.**

It is well settled that a name merely descriptive of an article of trade, of its qualities, ingredients or characteristics, cannot be employed as a

trade-mark, and the exclusive use of it entitled to legal protection.—*Court Decision.*

“Nothing is better settled than that an exclusive right to the use of letters, words or symbols to indicate merely the quality of the goods to which they are fixed, cannot be acquired.”—*Court Decision.*

“The general proposition is well established that words which are merely descriptive of the character, qualities, or composition of an article, or of the place where it is manufactured or produced, cannot be monopolized as a trade-mark.”—*Court Decision.*

A general rule has also been established to the effect that words that do not in and of themselves indicate anything in the nature of origin, manufacture or ownership, but are merely descriptive of the place where an article is manufactured or produced, cannot be monopolized as a trade-mark.

Another well-known doctrine governing trade-mark law is that no one can apply the name of a district or country to a well-known article of commerce, and by so doing obtain an exclusive right to such application as would prevent others inhabiting the same district from truthfully using the same designation. However, where a geographical name has acquired a secondary signification, its use in that sense may be protected by restraining the use of such word by others in such a way that it would amount to a fraud on the public, and on those to whose employment of it the special meaning has become attached.

It may be granted, therefore, that the manufacturer of particular goods is entitled to the reputation they have acquired, and the public is entitled to the means of distinguishing between those and other goods; protection is accorded against unfair dealing, whether there be a technical trade-mark or not. The essence of the wrong consists of the sale of the goods of one manufacturer or vendor for those of another.

In a trade-mark suit if the plaintiff has the absolute right to the use of a particular word or words as a trade-mark, then if an infringement is shown, the wrongful or fraudulent intent is presumed, and although allowed to be rebutted in exemption of damages, the further violation of the right of property will be restrained. Where an alleged trade-mark is not in itself a good trade-mark, but the use of the word has come to denote the particular manufacturer or vendor, relief against unfair competition or perfidious dealing will be awarded by requiring the use of the word by another to be confined to its primary sense by such limitation as will prevent misapprehension on the question of origin.

The word “Fitmeeasy” as applied to corsets, waists and underwear, has been held to be descriptive and not registrable as a trade-mark.

With regard to coined words, of which the preceding is well represen-

tative of the class, the same decision ruled that a word made up of three separate words cannot be held to be coined or arbitrary where it conveys the same idea whether read or pronounced as would the three words written separately. A mere change in the manner of writing the mark cannot be held to change its character so long as the impression conveyed by it is the same.

“The general rule is against appropriating mere words as a trade-mark. An exception is of those indicating origin or ownership, having no reference to use. Words are but symbols. When they are used to signify a fact, which others may, by the use of them, express with equal truth, others may have an equal right to them for that purpose.” (*Caswell vs. Davis*, 58 N. Y., 230.)

“A mere general description by words in common use of a kind of article, or its nature or qualities, cannot of itself be the subject of a trade-mark.” (*Gilman vs. Hunnewell*, 122 Mass., 148.)

## What Constitutes Infringement.

The sale of the goods of one manufacturer or vendor as those of another is unfair competition, and constitutes a fraud which a court of equity may lawfully prevent by injunction.

Upon the question as to how close the resemblance must be in order that one trade-mark may be declared an infringement of another, the United States Supreme Court has said: “Much must depend, in every case, upon the appearance and special characteristics of the entire device, but it is safe to declare, as a general rule, that exact similitude is not required to constitute an infringement or to entitle the complaining party to protection. If the form, marks, contents, words, or the special arrangement of the same, or the general appearance of the alleged infringer’s device, is such as would be likely to mislead one in the ordinary course of purchasing the goods, and induce him to suppose that he was purchasing the genuine article, then the similarity is such as entitles the injured party to equitable protection. \* \* \* But a court of equity will not interfere when ordinary attention by the purchaser of the article would enable him at once to discriminate the one from the other.” In another case the court said: “Two trade-marks are substantially the same in legal contemplation, if the resemblance is such as to deceive an ordinary purchaser giving such attention to the same as such a purchaser usually gives, and to cause him to purchase the one supposing it to be the other.” See 96 U. S., 245, and 14 Wall 511.

Abandonment of the right to the exclusive use of a distinctive package or other dress for his goods by its originator, who has used it generally and continuously for many years, is not shown by the fact that it has been also used, not only by defendant, but by others, unless it further

appears that there has been such acquiescence by complainant as to indicate not only a practical abandonment, but also an intention to abandon.

If a trade-name has been so identified with the business of a manufacturer as to inform the public that the name upon goods means that they are the product of that person and another adopts and displays the name, it is not material that he has not also adopted the particular dress in which his predecessor has presented his goods.

It was held that where an article has become known by a name adopted by the manufacturer as a trade-mark, such name cannot be used by another in such manner as to deceive the public and to palm off his goods as those of the first user, although by reason of its descriptive character it cannot constitute a technical trade-mark.

## **A Trade-Mark by Another Used on the Same Class of Goods is an Infringement.**

The object of a trade-mark is to show who is the manufacturer or producer of the merchandise in connection with which it is used and to prevent others from finding a market for their goods under a mistaken impression on the part of the buyers that they are getting merchandise produced by the owner of the original trade-mark. It is for this reason, and in order to protect both the public and the owner of the trade-mark, that no other person is allowed to sell goods of a similar kind under the same mark. But where the goods are of a totally different character the reason of the rule does not apply and consequently the rule itself does not apply. If one dealer sells plows under a certain trade-mark it cannot damage him that another sells cotton cloth under the same trade-mark, and the action of the latter cannot be prevented. It is to be noted, however, that the goods sold by the newcomer not only must not be of the same kind as those originally sold under the same trade-mark, but they must not be goods which might be made by using the others as a raw material. Thus in a case in which the plaintiff had adopted the words "Lone Jack" to designate smoking tobacco made by him, and the defendant had afterwards applied the same words to cigarettes, the latter was enjoined from continuing the use upon the ground that it might be taken as a representation that his cigarettes were made of this particular tobacco. Upon the same ground a manufacturer of linen garments was forbidden to use a trade-mark which a manufacturer of linen piece goods had previously adopted. On the other hand, the use of a trade-mark in connection with canned peaches and canned tomatoes was held

not sufficient to prevent a subsequent use of the same mark by another in connection with canned salmon. This decision is very near the line, if not on the wrong side of it ; but the principle is clear, and it is this, that there is no infringement unless the new mark is used in such a way as would naturally lead the buyer to suppose that the goods themselves or the raw materials composing them were the production of the owner of the original trade-mark. Where there is practically no danger of such a misconception on the part of the public there can be no infringement.

## **False Statements in Connection with Trade-Marks.**

In the case of *Manhattan Medicine Co. vs. Wood*, 100 U. S. 218, it was held that false representations on a label, or in connection with a trade-mark, barred the owner thereof from the benefit of proceedings in equity.

Justice Field ruled that a court of equity will extend no aid to sustain a claim to a trade-mark of any article which is put forth with a misrepresentation to the public as to the manufacturer of the article and as to the place where it is manufactured, both of which particulars were original circumstances to guide the purchaser of the medicine.

When the owner of a trade-mark applies for an injunction to restrain the defendant from injuring his property by making false representations to the public it is essential that the plaintiff should not, in his trade-mark or in the business connected with it, be himself guilty of any false or misleading representation, for if the plaintiff makes any material false statement in connection with the property he seeks to protect, he loses, and very justly, his claim to the assistance of a court of equity.

Chief Justice Duer held, in a case for infringement against a trade-mark which bore a false misrepresentation as to the composition of a cosmetic : " Those who come into a court of equity seeking equity must come with clean hands and a pure conscience. If they claim relief against the frauds of others they must themselves be free from the imputation. If the sales made by the plaintiff are effected or sought to be by misrepresentation and falsehood they cannot be listened to when they claim that by fraudulent rivalry of others their own fraudulent profits are diminished. An exclusive privilege for deceiving the public is assuredly not one that a court of equity can be required to aid or sanction."

While yet more luminous on the subject of false statements in connection with trade-marks is the following decision of the Supreme Court in the case of *Kassel vs. Jenda* :

" While I am convinced that the defendant is chargeable with a fla-

grant, persistent violation of the plaintiff's trade-mark, I cannot on the pleadings and the proofs grant any relief, as the plaintiff does not come into court with clean hands. He invokes the aid of the court of conscience, while his own conduct in relation to the subject matter of the suit has been unconscionable. It is a most salutary rule which, in cases like the one at bar, denies relief in equity to a party who has been guilty of a material misrepresentation on his label concerning the ingredients which compose the article he seeks to protect. The rule has been broadly and concisely stated in this State in the *Prince Mfg. Co. v. Prince's Metallic Paint Co.* (135 N. Y. 24, 38), as follows:

"Any material misrepresentation in a label or trade-mark as to the person by whom the article is manufactured, or as to the place where manufactured, or as to the materials composing it or any other material false representation deprives a party of the right to relief in equity. Here the plaintiff claims certain property rights acquired through his continued use of the designation Imperial as applied to the manufacture of cigarettes. In the course of the acquisition of those alleged property rights he has imposed upon the public and secured their confidence in his cigarette under the name Imperial, guaranteeing in effect by the language of his label that it is made of high grade Russian and Turkish leaf, when in fact, according to his own admissions the only tobacco that entered its composition was American. He then offers a second brand of Imperial Turkish cigarette, similarly warranting that it is made of high grade Turkish tobacco, when in truth, American tobacco is also used in its manufacture. A different question might be presented had the plaintiff limited his use of the term Imperial which is the dominant feature of his trade-mark, to the second or pink box of cigarettes. The small percentage of American tobacco might justify the inference that there was no deception on the public in declaring that Turkish tobacco was the ingredient. But that is not the question before me. The plaintiff primarily seeks protection in the use of the term Imperial, and that term was introduced to the public and continued as representing an article to be something it was not.

It is not material whether or not the plaintiff intended to deceive, whether he deliberately designed to impose upon the public. It is sufficient to forbid equity from interfering if his label was naturally calculated to and did deceive. I find much similarity between the case at bar and the well-known trade-mark cases that may be referred to as the "tea cases." Thus in *Jidding v. How* (8 Simons, 477) plaintiff was denied injunctive relief where it appeared that the "Howqua Mixture" which name he sought to protect and which he represented to

have been made in Howqua, China, was, in fact, made and put up in England. And in *Kenney v. Gillet* (70 Maryland, 574) a case much weaker than the one at bar, the court refused an injunction to the manufacturers of a kind of tea called "He-no," which was represented on the label as "the kind the Chinese drank," and which contained a statement from which the inference was reasonable that it was imported directly from China when, in fact, the tea was compounded in Baltimore, although made of Chinese varieties.

These cases are typical. The plaintiff has not come into this court with clean hands and therefore his complaint must be dismissed. There will, however, be no costs allowed."

### **The Trade-Mark Value of a Name.**

A man has the unquestionable right to make any proper use of his own name which is made in good faith and for legitimate purposes of identification. To deny him this right, or in any way restrict it, would be to do him a great wrong. A man's name is part, at least, of his capital, and if it is untarnished by acts which discredit it is an invaluable asset. When a name is the common property of two or more people, every one of whom has as good a right to it as any other, it is difficult to recognize the right of one person to monopolize it or to employ it exclusively in one kind of business.

Quite another set of conditions are presented from the legal point of view when business adventurers, desiring to use a prominent name for the distinct purpose of deceiving or misleading the public, look for and find a man having the name they want to use in this way and employ him nominally in a position for which he has no qualifications, that a false impression may thereby be created. This is an illegitimate and dishonest use of a name, and one which we imagine the courts would not hesitate a moment to restrain on broad grounds of public policy. Such cases however, are frequently brought to public attention. A company, desiring to attract notice and presumably to make a market for its stock, looked about for a figurehead President, and found a young clerk whose name chanced to be the same as that of a very wealthy capitalist whose identification with the enterprise would have insured its success. In explaining the situation an officer of the company said very frankly: "Our President was elected solely on account of his name; otherwise he would not have been worth two cents to us. We use his name for advertising purposes. He was paid for this service alone."

The question thus raised is by no means without precedent. Some

years ago a French maker of champagne, thinking that he could increase his profits by selling his product under a well-known name, found the widow of one M. Cliquot, gave her a nominal partnership in his business, and proceeded to sell his wine under the name of Veuve Cliquot. The French Courts made short work of his pretense, notwithstanding the fact, established by the evidence, that the Mme. Cliquot whose name was identified with a particular brand of champagne had been dead for many years, and that the woman whose name had been hired was then living on her share of profits of the new business. The use of the name under these circumstances was promptly and permanently enjoined, and damages awarded to the house whose trade-mark rights had been invaded.

What we have described is something more than a question of business morality, and it does not appear to be one which presents any legal difficulties. The right of a man to use his own name in any proper way does not imply the right to sell the use of it to persons with the dishonest purpose of misleading advertisement.



## Chapter VI.

### A Digest of Prominent Decisions in Trade-Mark Cases— Federal Courts.

**What May Become a Trade-Mark.**—The corporate name of a corporation is a trade-mark and will be protected by a court of equity. *Newby vs. The Oregon Central Railroad Co.*, 1 Deady, 610; Oregon, 1869.

"Eureka," first used by complainant in a compound fertilizer which they call "Eureka Ammoniated Bone Superphosphate of Lime" is a trade-mark. *Fertilizer Company vs. Woodside*, 1 Hughes, 115; Maryland, 1869.

"Our Young Folks," as the title of a publication. *Osgood vs. Allen*, 1 Holmes, 185; Maine, 1872.

"The Star Shirt," or "The \* Shirt," as applied to shirts. *Morrison vs. Case*, 9 Blatch., 548; Conn., 1872.

A representation of a crown as applied to paints. *Smith vs. Reynolds*, 10 Blatch., 100; New York, S. Dist., 1872.

But only as to the particular class of paints on which it had been used, and not as to paints generally. Same case on final hearing, 13 Blatch., 458, 1876. *La Société, &c., vs. Baxter*, 14 Blatch., 261; New York, S. D., 1877.

"Dr. J. Blackman's Genuine Healing Balsam," as applied to a medicine. *Filkins vs. Blackman*, 13 Blatch., 440; Conn., 1876.

½ printed in large bold red characters in a certain form and style on packages of cigarettes. (No exclusive right to the use of the numeral character ½ used in the ordinary manner.) *Kinney vs. Allen*, 1 Hughes, 106; Virginia, E. D., 1877.

**What cannot become a Trade-Mark.**—"Lackawanna," as applied to coal mined in the Lackawanna Valley. *Canal Co. vs. Clark*, 13 Wall, 311; U. S. Supreme Court, 1871.

To entitle a name to equitable protection as a trade-mark the right to its use must be exclusive, and not one which others may employ with as much truth as those who use it. Same case.

A barrel of peculiar form, dimensions and capacity, irrespective of any marks or brands impressed upon or connected with it, cannot become a lawful trade-mark, or a substantial part of a lawful trade-mark. *Moorman vs. Hoge*, 2 Sawyer, 78; California, 1871. Cited and approved in *Harrington vs. Libbey*, in which case a tin pail of peculiar design for holding paper collars for sale was held not to be a trade-mark. 14 Blatch., 128; New York, S. Dist., 1877.

A mark calculated to convey the impression that the article to which it is affixed is patented, when there is no valid patent upon it, is deceptive in its name, and therefore invalid. Trade-mark claimed "Mason's Patent November 25, 1858." The patent had been held invalid. *The Consolidated Fruit Jar Co. vs. Dorflinger*, 2 Central L. J., 721; Penn., E. Dist., 1875.

**When an Injunction will be Granted.**—The plaintiff called his medicine the "Chinese Liniment," the defendant called his "Ohio Liniment," but from the body of the label, and the directions for the use of the medicine, it was clear that the language of the defendant was so assimilated to that of the plaintiff as to appear to be the same medicine, the alterations being only colorable. Injunction granted. *Coffin vs. Brunton*, 4 McLean, 516; Indiana, 1849. See same case on appeal.

When on ordinary observation the two marks would be confounded and defendant's mark is calculated to mislead the public. *Walton vs. Crowley*, 3 Blatch., 440; New York, S. D., 1856.

"Bills of this description are not maintainable upon the ground that the plaintiff has a right of property in the trade-mark. The relief is given because the mark is a sign or representation, importing, and so understood and acted upon by the public, that the article to which it is attached is the manufacture or production which is generally known in the market under that denomination"; *id.* But a later case says: "The law is well settled that a party who has appropriated a particular trade-mark to distinguish his goods from other similar goods, has a right or property in it which entitles him to its exclusive use."

An imitation of a label in every respect like the original, except that "Hostetter" was altered to "Holsteter," and the words "Hostetter & Smith" to "Holsteter & Smyth" was enjoined. *Hostetter vs. Vowinkle*, 1 Dillon, 329; Nebraska, 1871.

Plaintiff claimed as a trade-mark the words "Genuine Durham Smoking Tobacco," and the side view of a Durham bull, and alleged that defendant infringed by using the words "The Durham Smoking Tobacco," and the device of a bull's head, with the note of the sale to the defendant of Wright's patent for the manufacture of "Genuine Durham Smoking Tobacco." Both labels were printed on paper of the same color. Injunction granted. *Blackwell vs. Armistead*, 5 Am. Law T., 85; Virginia, W. D., 1872.

An injunction will be granted when the imitation is so close that by the form, marks, contents, words or their special arrangement, or by the general appearance of the infringing device, purchasers exercising ordinary caution are likely to be misled into buying the article bearing it for the genuine one. *McLean vs. Fleming*, 6 Otto, 245; U. S. Supreme Court, 1877.

Plaintiff's bottles were branded with the word "Apolinaris" and the representation of an anchor. Defendants were enjoined against the use of the word "Apollinis" and the representation of a bow and arrow or anchor, plaintiff giving bond to pay damages. *Action, &c. vs. Somborn*, 14 Blatch., 380; New York, S. D., 1878.

**When an Injunction will be Refused.**—A court of equity will not, in a con-

test between persons who profess to be manufacturers of *quack* medicines, interfere to protect the use of trade-marks by injunction. A complainant whose business is imposition cannot invoke the aid of equity against a piracy of a trade-mark. *Fowle vs. Spear*, 1 Law Reps. (N. S.), 130; Penn., E. D., 1847. *Heath vs. Wright*, 3 Wallace, Jr., 141 Penn., 1855.

On final hearing injunction was refused, and also an application for a rehearing, because there was a controversy whether both plaintiff and defendant were not engaged in establishing the business. If the rights of the plaintiff are not clear, the court will refuse an injunction and leave him to his action at law. *Coffin vs. Brunton*, 5 McLean, 256; Ind., 1851.

A statement filed by O., in United States Patent Office, set forth that his trade-mark consisted of the words "Heliotype," "in connection with the production and publication of prints," and that "the particular article of trade" upon which he had used it was "the prints which he designated as 'Heliotype.'" Such prints were made by a process to which the name "Heliotype" was applied, and which was a process secured by letters patent of the United States, under which O. was the sole licensee. The defendant used the word "Heliotype" on prints published by him, but not made by such patented process. Held that the right of O. to the recorded trade-mark was limited to its use on prints made by such patented process. *Osgood vs. Rockwood*, 11 Blatch., 310; New York, S. D., 1873.

When the registered trade-mark consists of a combination of designs, each of which alone is public property, one who used only part will not be enjoined; *e. g.*, plaintiffs claimed as a mark a perspective of a bed bottom, with the letters "T. M. Co." in monogram in the center of the picture, and over it the words "Tucker Spring Bed." Defendant used the picture and the words "Tucker Spring Bed" and the same colored label. Held he had a right so to do. *The Tucker Mfg. Co. vs. Boyington*, 9 O. G., 455; Illinois, N. D., 1875.

Defendant put up Hamburg tea in packages of the same size and general shape and similarly-colored envelope as the plaintiff. Similar printed notices and directions for use were tied up with the package; but on the labels, which were similar in place on the package and in color, the name of the defendant was printed instead of that of the plaintiff. Injunction refused, because the ownership of the packages was sufficiently indicated. *Frese vs. Bachof*, 13 Blatch., 234; New York, S. D., 1876.

When a person who claimed property in a trade-mark had acquired it, if at all, by use in circulars of fraudulent and deceptive and untrue language as to the origin and qualities of the article in respect of which the trade-mark was claimed. Injunction refused. *Seabury vs. Grosvenor*, 14 Blatch., 262; New York, S. D., 1877.

The right of A. to a trade-mark in connection with the dry white oxide of zinc is not infringed by the sale of a paint composed of a white oxide of zinc ground in oil, and untruly represented as containing white oxide of zinc made by A., such trade-mark never having been applied by A. to that article ground in oil *La Société, etc., vs. Baxter*, 14 Blatch., 261; New York, S. D., 1877.

The word "Worcestershire," as applied to sauce, has become generic in meaning by constant use for a particular species of sauce without suit to prevent it, and the fact that persons reside in Worcestershire, in England, and manufacture there a sauce which they call "Worcestershire Sauce," does not give them the sole right to such application of the term. A suit having been brought—the same plaintiffs against the principal in England—and the case dismissed, the same plaintiffs cannot sustain a suit here against the agents. A trade-mark bad in England cannot become the ground for an injunction here against articles of English manufacture. *Lea vs. Deaken*, 18 Am. Law Reg., 322 ; Illinois, N. D., 1879.

**What Cannot be set up as a Defense.**—That plaintiff is an alien. *Taylor vs. Carpenter*, 3 Story, 459 ; Mass., 1844.

Usage abroad to use trade-marks of others when aliens with impunity is not a competent defense to the jury, and such a usage being a bad one, and not in existence here, cannot offset the law here. *Taylor vs. Carpenter*, 2 Wood & M. 1 ; Mass., 1846.

No defense that plaintiffs placed on their business envelopes and business cards. "established in 1860," when the fact was that the business was established in 1865, the mistake having been corrected as soon as discovered. *Blackwell & Armistead*, 5 Am. Law T., 85 ; Va., W. D., 1872.

**Title.**—If use by defendant was for such a length of time and under such circumstances as to indicate an abandonment of the marks to the public, or a license to use them, the plaintiff could not recover. *Taylor vs. Carpenter*, 2 Wood. & M., 1 ; Mass., 1846. *Lea vs. Deaken*, 18 Am. Law Reg., 322 ; Illinois, N. D., 1879.

Trade-marks pass by assignment, with the good-will of the business. *Walton vs. Crowley*, 3 Blatch ; 440, New York, S. D., 1856.

The person for whom goods are manufactured is equally entitled to his trade-mark as the manufacturer, *id.*

A partnership was formed by the retirement of a partner from a previous firm who sold to the firm his interest and recipe. It was held that as the new partnership showed exclusive use of trade-marks since 1858 they were not obliged to show, as against wrong-doers, that they have a written assignment from one of their former partners. *Hostetter vs. Vowinkle*, 1 Dillon, 329 ; Nebraska, 1871.

The name of a patented article, *e. g.*, "Tucker Spring-Bed" became common property after the expiration of the patent. *Tucker Mfg. Co. vs. Boyington*, 9 Off. Gaz., 455 ; Illinois ; N. D., 1875.

The exclusive right to use a trade-mark of a medicine will pass by assignment to the person who has obtained the right to make and sell, and who does make and sell the medicine according to the original formula. *Filkins vs. Blackman*, 13 Blatch, 440 ; Conn. 1876, Equity.

When two persons, associated in business for the manufacture and sale of a commodity invented by one of them, jointly adopt a trade-mark for it, they are equally entitled to its use after the dissolution of their connection. *Taylor vs. Bothin*, 5 Sawyer, 584 ; Cal. D., 1879.

**Damages for Infringement.**—Is entitled to recover to the extent of his damages by the loss of sales and defendant's profits, even though the articles sold as and for his were not inferior in quality to his. *Taylor vs. Carpenter*, 2 Wood ; & M 1 ; Mass., 1846.

When no specific damages are proved, nominal damages will be given. *Coffin vs. Brunton*, 4 McLean, 516 ; Ind., 1849.

When the plaintiff has long acquiesced in the infringement and has unreasonably delayed seeking relief, he is not entitled to an account of profits. *McLean vs. Flemming*, 6 Otto., 245, 1877.

**Statutes.**—The certificate of registry is not conclusive evidence that the device claimed is a lawful trade-mark, and plaintiff is entitled to its exclusive use. *Moorman vs. Hoge*, 2 Sawyer, 78 ; Cal., 1871.

The act of C. of June 18, 1874, is to be regarded as an amendment of the copyright law. To acquire a copyright in any print or label deposited in the Patent Office, it is essential that the title of the print or label be first deposited (before use), in pursuance of the provisions of the R. S. concerning copyrights. *Marsh vs. Warren*, 14 Blatch., 263 ; New York, S. D., 1877.

Labels to be used on bottles containing medicine are not the subjects of copyright. *Scoville vs. Toland*, 6 West. Law J., 84 ; Ohio, 1848.

Trade-mark statutes of 1870 and 1876 are unconstitutional. *U. S. vs. Stephens*, 16 O. G. 999 ; U. S. Supreme Court, October Term, 1879.

## New York Courts.

There are about as many cases reported in the New York reports as in those of all the other States combined—a fact probably due to two causes, viz., the custom in New York to publish decisions of the lower courts and of single judges, and also because the city of New York is the greatest distributing point of the United States. A digest is made of the leading cases for convenience of examination.

**Who May Acquire A Trade-Mark and How.**—The vendors of an article of trade or manufacture, who use a particular trade-mark to distinguish such article are entitled to protection, though they do not manufacture the goods. *Taylor vs. Carpenter*, 2 Sandf., ch. 603, 1846.

Aliens have the same right to relief against a piracy of their trade-marks as citizens of the United States. *Coates vs. Holbrook*, 2 Sandf., 586, 1845.

The sale of the *good will of a business* does not transfer a right to the use of the vendors sign, or trade name, *e. g.*, "Howe's Bakery." *Howe vs. Searing*, 19 How. Pr., 14, 1860.

The purchasers of a spring (whose waters are designated by a trade-mark) and all the interest of the original proprietors, acquire a valid title to the trade-mark. *C. & E. Spring Co. vs. H. R. C. Spring Co.*, 45 N. Y., 291, 1871.

Though one discover or invent an article and give it a peculiar and distinctive name, if he permits another, with his acquiescence, to appropriate it with that name and put it forth to the public as his own, that other will become the

proprietor of the name if he meets the other conditions prescribed by the law in such cases. *Caswell vs. Davis*, 78 N. Y., 223, 1874.

It was decided that one might acquire the right to use a trade-mark, registered under the United States statute, by *license*, paying royalty for its use. *Hilsen vs. Libby*, 44 N. Y. Superior Ct., R. 12, 1878.

**What May Become a Trade-Mark.**—"Yankee soap." *Williams vs. Johnson*, 2 Bosw., 1, 1857; *id. vs. Spence*, 25 How., Pr. 366, 1863.

"Cocaine," as applied to a hair wash. *Burnett vs. Phalon*, 3 Keys, N. Y. 594, 1867.

"Bismarck," as applied to paper collars. *Meserole vs. Tynberg*, 4 Abb. Pr., N. S. 410, 1868.

"Bovaline" as applied to a hair pomade. *Lockwood vs. Bostwick*, 2 Daly, 521, 1869.

"Congress Water," or "Congress Spring Water," appropriately indicates the origin and ownership of the water flowing from Congress Spring, and the word "Congress," used in connection with the bottling and sale of such water, is a proper and legitimate business trade-mark. *C. & E. S. Co. vs. H. R. C. S. Co.*, 45 N. Y., 291, 1871.

"303," as applied to steel pens, not to express any size or quality, but the character or pattern. *Gillott vs. Esterbrook*, 48 N. Y., 374, 1872; *id.* "½" on cigarettes. *Kinney vs. Basch*, 16 Am. Law Reg., N. S. 596, 1877; *id.* "35" on cards for photographic mounts. *Williams vs. Reynolds*, 7 Abb., New Cases 17, 1879.

"Akron," the name of the place of origin of a cement, is a good trade-mark of such cement as against persons not living in Akron. *Newman vs. Alvord*, 51 N. Y., 189, 1872. "Worcestershire" as applied to sauce in same manner, 15 Abb. Pr. (N. S.) 1873.

**What Cannot Become a Trade-Mark.**—Marks, symbols or letters which merely indicate the appropriate name, mode or process of manufacture, or the peculiar or relative quality of the fabric manufactured, as distinguished from those marks which indicate the time, origin or ownership of the fabric—*e. g.*, the letters "A. C. A.," used by a manufacturer of tickings to designate the first quality of his fabric—are not trade-marks to use which an exclusive right may be claimed. *Amoskeag Mfg. Co. vs. Spear*, 2 Sandf., 599, 1849.

Arbitrary names—*e. g.*, "Galen," "Lake," "Cylinder," "Wayne" and "New York"—when applied to glass to denote quality, only, are not entitled to protection as trade-marks. *Stokes vs. Landgraff*, 17 Barb., 608, 1853.

"Schnapps," used in Holland to mean a dram, or gin, as applied to gin. *Wolfe vs. Goulard*, 18 How Pr., 64, 1859.

"Schiedam," because the name of a town. Same case.

"Club House," as applied to gin; because it had been previously used to indicate a superior quality of articles, including gin. *Corwin vs. Daly*, 7 Bosw., 222, 1860.

"Old London Dock Gin" is descriptive. *Binnering vs. Wattles*, 28 How. Pr., 206, 1865.

“Desiccated Codfish,” is descriptive. *Town vs. Stetson*, 5 Abb. Pr. (N. S.) 218, 1868.

A person cannot acquire a trade-mark in his own name, and thus debar others having the same name from using it in their business. *Meneely vs. Meneely*, 62 N. Y., 427, 1875. *Devlin vs. Devlin*, 69 N. Y., 212, 1877. *Decker vs. Decker*, 52 How. Pr., 218, 1876. *Faber vs. Faber*, 49 Barb., 357, 1867. *Clark vs. Clark*, 25 Barb., 76, 1857. Contra, dictum in *Howe vs. Howe Machine Co.*, 50 Barb., 236, 1867.

Words and phrases in common use and which indicate the character, kind, quality and composition of an article of manufacture cannot become a trade-mark, even though the form of the words or phrases adopted also indicate the origin and maker of the article. The words must express only the latter to become a trade-mark—*e.g.*, a medicine, the principal ingredients of which are iron, phosphorus and elixir of calisaya bark cannot be called (as a trade-mark) “Ferro-Phosphorated Elixir of Calisaya Bark.” *Caswell vs. Davis*, 58 N. Y., 223, 1874.

“Gold Medal,” as applied to saleratus. *Taylor vs. Gillies*, 59 N. Y., 331, 1874.

**When an Injunction will be Granted.**—The name of a newspaper may be protected by injunction if the title is clear. *Snowden vs. Noah Hopkins*, Ch. Rep., 347. *Bell vs. Locke*, 8 Paige, Ch. 75, 1840. *Matsell vs. Flannagan*, 2 Abb. Pr., N. S., 459 1867. Where the Court sees that the complainant’s trade-marks are simulated in such a manner as probably to deceive his customers or patrons, the piracy will be checked at once by injunction. The Court proceeds upon the ground that the complainant has a valuable interest in the good will of his trade or business; and that having appropriated to himself a particular label, or sign, or trade-mark, indicating that the article is manufactured or sold by him or by his authority, or that he carries on business at a particular place, he is entitled to protection against any other person who attempts to pirate upon the good will of the complainants’ friends or customers by using his trade-mark without his authority or consent. An injunction will be granted against one who affixes to his own goods a copy or imitation of the trade-mark of another, but only to the extent to which the trade-mark is imitated. *Amoskeag Mfg. Co. vs. Spear*, 2 Sandf., 599, 1849.

Against pirating the name of a hotel. *Howard vs. Henriques*, 3 Sandf., 725, 1851.

Against a colorable imitation of a trade-mark, containing such differences as the public would not be likely to observe. *Clark vs. Clark*, 25 Barb., 77, 1857.

The use of “Brooklyn White Lead and Zinc Company” enjoined on application of “Brooklyn White Lead Company.” *B. W. L. Co. vs. Masury*, 25 Barb., 416, 1857.

The use of the word “Cocaine” was enjoined on complaint of the owner of trade-mark “Cocaine.” *Burnett vs. Phalon*, 3 Keys, N. Y., 594, 1867.

Against pirating the name of a newspaper, when the name adopted by defendant is calculated to deceive. *Matsell vs. Flanagan*, 2 Abb. Pr., N. S. 459, 1867; *Coster vs. Peters*, 4 *id.*, 53, 1868.

Against defendant's label, which closely resembled that of plaintiff, except that defendant had substituted "Bovina" in place of "Bovaline." *Lockwood vs. Bostwick*, 2 Daly, 521, 1869.

To protect a species of good-will analogous to a trade-mark, *e.g.*, "Number 10," the number of a place of business which was printed on advertisements, circulars, etc., in connection with a place of business. *The Glen & Hall Mfg. Co. vs. Hall*, 61 N. Y., 226, 1874.

To prevent the use of the name of the defendant in such a way as to mislead or induce the public to believe that he is the plaintiffs—*e.g.*, defendant, who had no partner, used the name of the complaining firm "Devlin & Co." *Devlin vs. Devlin*, 69 N. Y., 212, 1877.

Against a manufacture of labels which have such a resemblance to the genuine as to deceive purchasers of ordinary caution, or the careless and unwary. *Coleman vs. Crump*, 70 N. Y., 573, 1877.

To sustain such an action it is not necessary to establish a guilty knowledge or fraudulent intent on the part of the defendant. It is sufficient to show the proprietary right of the plaintiff and its actual infringement. Same case.

The Court will enjoin the use of a wrapper and label, the general effect of which is to constitute a wrongful imitation of those of plaintiff, although the defendant may have replaced the trade-mark name by some other, *e.g.*, "Sapolio" by "Saphia." The name was not enjoined. *Morgan vs. Schwachhofer*, 5 Abb., N. C., 265, 1878.

**When an Injunction will be Refused.**—One Brindle, a watchmaker, stamped all watches made by him with his name. One Samuel purchased from Brindle the right to stamp Brindle's name on watches made by Samuel, and Samuel assigned his right to plaintiff. Defendants had on hand watches made by Brindle, and stamped with his name. Injunction refused. *Samuel vs. Burger*, 13 How. Pr., 342, 1856.

When the name or phrase claimed as a trade mark is calculated to deceive, *i.e.*, "Balm of a Thousand Flowers," which instead of being an extract of flowers was a liquid soap. *Fetridge vs. Wells*, 4 Abb. Pr., 144, 1857.

The points of difference are so prominent and striking, as at once to produce the impression that both the plaintiffs and defendants medicines and books are different productions, and when that is the case, an action for an injunction cannot be maintained. *Talcott vs. Moore*, 13 Supreme Court Reports, N. Y. 106, 1875.

Plaintiff, a dealer in refined lard, stamped upon the cans in which it was put up for sale the figure of a large fat hog. The defendants stamped upon their packages of lard a globe with a small gaunt wild boar on top. Remainder of devices used with alleged trade-mark were dissimilar. Injunction refused. *Popham vs. Cole*, 66 N. Y., 69, 1876.

**What Cannot be set up as a Defense.**—No defense that the simulated article is equal to the genuine. *Coats vs. Holbrook*, 2 Sandf., ch. 586, 1845; *Taylor vs. Carpenter*, id. 603, 1846. *Partridge vs. Menck*, id. 622, 1847.

No defense that the maker of the spurious goods, or the jobber who sells



them to the retailers, informs those who purchase that the article is spurious or an imitation. *Coats vs. Holbrook*, above.

The alienage of the person whose trade-marks are simulated, and his residence in a foreign country, do not affect his right to their exclusive use when he has introduced them here. *Coats vs. Holbrook*, 2 Sandf., ch. 586, 1845; *Taylor vs. Carpenter*, 2 Sandf., ch. 603, 1846. That plaintiff had ceased to use the mark infringed for 3 years. *Lemoine vs. Ganton*, 2 E. D. Smith, 343, 1854.

In an action to restrain the infringement of plaintiff's trade-mark, the complaint alleged that they manufactured brandy which they put up and sold in "quart and pint bottles," on which they put the trade-mark in question. The Court found that defendant pirated plaintiff's trade-mark, but falsely and deceitfully used bottles represented to be "quart and pint" which did not hold that quantity, and that the trade-mark was designed and used to protect a fraud, and upon this ground dismissed the complaint. This ground was not set up in the answer, and does not appear to have been litigated on the trial. Nothing appeared upon the bottles to indicate the quantity contained, nor did it appear that such bottles were used in the trade as a measure of quantity, or that purchasers did not understand their capacity; or that plaintiff ever deceived any one. The findings of fact and conclusions were held, on appeal, to be erroneous. *Hennessy vs. Ward Wheeler*, 69, N. Y., 271, 1877.

The fact that the same device is used upon other articles of merchandise does not take from the plaintiff the exclusive right to its use upon the articles manufactured by him. *Coleman vs. Crump*, 70 N. Y., 573, 1877.

**Statutes.**—To render a person liable under the provisions of § 4, ch. 306, Laws of 1862, entitled "an act to prevent and punish the use of false stamps, labels, or trade-marks," as amended by § 2, ch. 209, Laws of 1863, the act complained of must have been done with intent to defraud some person or persons or some body corporate. *Low vs. Hall*, 47 N. Y., 104, 1871.

## Pennsylvania Courts.

**What May Become a Trade-mark** —A word which is the name of an article or indicates its quality cannot be appropriated as a trade-mark, *e. g.*, "Extract of Night Blooming Cereus." *Phelan vs. Wright* (5 Phil., 464, 1864).

A trade-mark may consist of distinctive words, not in common use, descriptive of similar articles. The name of the inventor may form part of the trade-mark. *e. g.*, "Dr. J. N. Lindsey's Improved Blood Searcher." *Fulton vs. Sellers* (4 Brewster, 42, 1867); *Ayer vs. Hall* (3 Brewster, 509, 1871).

No right can be absolute in a name, as a name merely. It is only when that name is printed or stamped upon a particular label or jar, and thus becomes identified with a particular style and quality of goods, that it becomes a trade-mark. *Rowley vs. Houghton* (2 Brewster, 303, 1868); *Ferguson vs. Davol Mills* (*id.* 314, 1868).

It is requisite that the device should perform the office of a finger-board, and indicate the name and address of the manufacturer, to invest it with the attributes of a trade-mark entitled to protection. The letter K inclosed in a

double ring with the letters "No." and "yds" between the rings, not a trade-mark. *Ferguson vs. Davol Mills* (2 Brewster, 314, 1868).

A trade-mark to be capable of exclusive use must be such as will identify the article to which it is affixed as that of the owner and distinguish it from those of others. *Palmer vs. Harris* (60 Penn. S. R., 156, 1869).

Title to the property in the name "Keystone Lime," acquired by many years certain, exclusive appropriation and use of it by shippers of merchandise who did not own the vessels employed by them will be protected in equity. *Winston vs. Clyde* (9 Phil., 513, 1872).

**When an Injunction will be Granted.**—To entitle the owner of a trade-mark to prevent its use by another person, there must be in the copy such a general resemblance of the form, words and symbols in the original as to mislead the public. *Rowley vs. Houghton* (2 Brewster, 303, 1868); *Dixon Crucible Co. vs. Gugenheim* (id. 321, 1869). A sufficiently distinctive individuality must be presented, so as to procure for the person himself the benefit of that deception which general resemblance is calculated to produce. *Rowley vs. Houghton*, *supra*.

The jurisdiction of a Court of Chancery in trade-mark cases attaches because of the injury to the one whose goods are simulated by interfering with his profits, not because of the deception upon the public. *Dixon Crucible Co. vs. Gugenheim* (2 Brewster, 321, 1869).

Defendant put up a sign—"Dr. F. R. Thomas, formerly operator at the Colton Dental Rooms." The words "formerly operator" were very small—the others very large. Held, that the use of the sign was fraudulent, as against owner of the Colton Dental Rooms. Enjoined. *Colton vs. Thomas* (2 Brewster, 30, 1868).

Defendant will be enjoined against the use of his own name when the same has been employed by him as a trade-mark and sold to another, with covenant not to use the trade-mark. *Ayer vs. Hall* (3 Brewster, 509, 1871).

**When an Injunction will be Refused.**—The label of the plaintiff was printed upon pinkish paper—"Aremingo Mills; warranted indigo blue." The label of defendant was printed on paper with a fanciful deep pink border—"Superior domestic pure linen goods, manufactured by William Baird, at Aremingo Mills, Frankford, Pa.; warranted fast colors." The words "Aremingo Mills" were printed in small capitals. The size of the labels was different; the color different; the size of the letters, etc., except the words "Aremingo Mills," were distinct. Injunction refused. *Calladay vs. Baird* (4 Phil., 139, 1860).

A trade-mark in the Spanish language, on cigars made in New York, indicated that they were made in Havana. Injunction refused, because the mark gave a false indication. *Gillis vs. Hall* (2 Brewster, 324, 1870).

The plaintiff had adopted a trade-mark so recently as not to have become known to the trade. Defendant, in entire ignorance of the fact and without any apparent design or intention, used the same words as a part of his trade-mark. Injunction refused. *Seltzer vs. Powell* (8 Phil., 296, 1871).

Plaintiffs claimed the use of the name "Galaxy Publishing Company" as a

trade-mark. There was no such corporation. Held that if plaintiff's firm name falsely implies that they are a corporation a court of equity will not assist them. *McNair vs. Cleare* (31 Legal In., 212, 1874.)

The name of an incorporated borough cannot be held as a trade-mark to the exclusion of other residents of the borough. This is so, though the trade-mark was adopted before the incorporation of the borough and before there was any town in that place. A corporation adopted the trade-mark "Glendon" on their iron. The place where their furnaces were was afterward made a borough by the name of Glendon. Another company afterward used the mark "Glendon" on their iron. Held that the second company could lawfully use this mark. *Glendon Iron Co. vs. Uhler* (75 Penn. S. R., 467, 1874).

**Title.**—The purchaser of a trade-mark and the right of manufacture of the article designated by it may be protected by injunction. He need not designate himself as assignee. *Fulton vs. Sellers* (4 Brewster, 42, 1867); *Dixon Crucible Co. vs. Gugenheim* (2 Brewster, 321, 1869). A person may sell a trade-mark which contains his own name, and covenant not to use the same. *Ayer vs. Hall* (3 Brewster, 509, 1871).

The use of the name "Keystone line" by a steamship company while the shippers were its agents is a mere license, and gives no right to its use after the agency is terminated. *Wilson vs. Clyde* (9 Phil., 513, 1872).

## Chapter VII.

### Trade-Mark Litigation.

**Unfair Competition.**—From a consideration of the cases involving the right to use a trade-mark which have been brought before the courts, it is clear that there are two clearly defined classes of these cases; first, cases of unfair competition; and, second, cases in which the question of the property right in the mark is involved between two persons who have independently adopted and used the same mark. The first class of cases presents little difficulty. It is obvious that the counterfeiting or imitation of a mark known to be the distinguishing mark borne by the goods of a particular trader is attended by injurious consequences of a serious character from two points of view. The rightful owner of the mark suffers by the diminished sale of his goods, and incurs also the risk of serious injury to the reputation of his goods, since the goods placed upon the market under a false mark are almost invariably inferior in quality to those sold by the rightful owner. And the purchaser is injured as well, for the public is induced by the false mark to believe that it is purchasing something different from what it actually receives.

The deliberate and willful imitation of the mark known to belong to another is so plainly a fraud upon his rights that from very early times the courts have not hesitated to protect the rightful owner against those who knowingly counterfeited or imitated his mark. It does not, however, appear, as has been above stated, that the right of the owner of the mark to the protection of the courts of equity was recognized until long after his right to the protection of the law courts had been recognized. But it is clear that the remedies which could be afforded by even the courts of equity were far from adequate to effectually prevent or redress the infringement upon the rights of the proprietor of a trade-mark. An award of damages against a willful infringer is clearly an inadequate punishment of the fraud of which he has been guilty, and is not sufficient to deter others from infringement. An injunction against further infringement is not greatly feared by those who deliberately counterfeit another's mark, and at best is effective only as to the future and as to the persons specially named in it. The willful counterfeiter of another's

mark is entitled to no better treatment than the criminal who takes the goods of another. This is now widely recognized, as is evident from the fact that in all foreign countries which have trade-mark laws, and indeed in nearly all of the States of the United States, the willful infringement of a trade mark is by express provision of statute law made an offense punishable by fine and imprisonment. Yet under the common law of trade-marks, as it is understood to-day by the United States courts, the owner of a trade-mark is afforded no protection against infringers, save that of damages and injunction.

To entitle the user of a mark to such remedies as may be afforded under the common law, it is, generally speaking, necessary only to show that the infringer has knowingly copied or imitated his mark, whatever that mark may be. It is of comparatively little importance in what the mark may consist, whether it be a trade-mark in the technical sense or the mere dress and appearance of an article as put upon the market, a word which primarily was clearly descriptive, or even the name of the manufacturer or dealer. The question is as to the intent of the infringer, and if the circumstances show that the intent was fraudulent, the rightful user of the mark is entitled to damages and injunction.

It is clear that cases of this class, cases of unfair competition, are reached by the common law of trade-marks, but it is equally clear that the common-law remedies are insufficient to adequately protect the rightful owner of the mark.

**Property Right to Trade-Mark Involved.**—To this class of cases, and such cases often arise and are usually of even more importance than cases of unfair competition, belong those in which it being found that two manufacturers or dealers have adopted and used the same or similar marks, each without knowledge of use of the mark by the other, suit is brought by the party claiming the better right to its exclusive use to enjoin the other from using it. There is in such cases no element of fraud, but it is evident that it may be of quite as much importance to the legal owner of the mark to prevent its use by another who may have used it in good faith as to prevent its fraudulent use by others.

That a manufacturer or dealer engaged in a particular line of business should unintentionally select as a mark for a particular class of goods sold by him the same mark which has previously been used by another for the same class of goods as a matter of fact has repeatedly happened. So many instances of the adoption by two or more traders of substantially the same mark were found when the trade-mark registration act of 1875, of Great Britain, went into effect that it was found necessary to frame a rule known as the "three-mark rule," under which identical or

similar "old marks," *i. e.*, marks in use before the date of the act, might be registered by different persons up to the number of three, but not more; the rule providing that if the mark had been used *bona fide* by more than three persons it must be treated as common to the trade and no registration at all allowed. This seems remarkable without a clear understanding of what sort of devices are used as trade-marks.

It is the exception that there is anything novel or elaborately artistic about a trade-mark. There is seldom anything which involves study or invention or skill of any sort in the trade-mark itself. The larger proportion of those in use consist of a single simple device or a single word. It is generally considered that a mark to be effective for its purpose should be as simple and striking as possible, should either consist of or have as a prominent feature some representation or word which will be readily caught by the eye of the purchaser and retained in his memory, so that when he comes to make a second purchase he will look for and readily recognize that particular mark. Such a trade-mark is, for instance, the representation of a star, an arrow, anchor, crescent, crown, cross, diamond, seal, triangle, or the word "star," "arrow," etc.

The representation of a star or the word "star" has been registered in the United States Patent Office as a trade-mark for nearly every recognized class of goods, having been registered nearly 400 times, indicating that, leaving out of consideration reregistrations to the same owner, made necessary by a change in the law, several hundred manufacturers and dealers have adopted and used that mark on some class of goods. In about 150 instances, the representation of an anchor or the word "anchor" has been registered.

It will, of course, be understood that a star or an anchor or any other mark may be used by manufacturers of or dealers in different classes of goods without conflict. For instance, the use of a star as a mark for tobacco does not conflict with the use of a star as a mark for matches or dress braid. It is only when two persons put upon the market goods of the same class bearing the same mark that confusion in the mind of the public is liable to be caused or purchasers are deceived.

Comparatively few such cases arose under the commercial conditions which prevailed up to the middle of the last century. No doubt under the conditions then prevailing the same mark was used by different manufacturers and dealers, but from the fact that the cost of transportation precluded the sending of goods any considerable distance from the locality of their production, competition was necessarily restricted to those who necessarily knew the trade-marks used by their rivals in trade. Whether the holding in the case of *Blanchard vs.*

Hill, above referred to, was correct or not was of comparatively little importance at the time that decision was rendered or for many years thereafter.

As manufacturing increased and the facilities for transportation were improved, competition became less restricted and it was found that the goods of a manufacturer or dealer must be sold in competition not only with others in his immediate locality, whose marks were well known to him and to whom his marks were well known, but with those located at a great distance, even in a foreign country, of whose very existence he was not aware and of whose trade-marks he could know nothing. In the wider market made accessible by the reduction in the cost of transportation, not only was the value of a distinctive trade-mark vastly increased by reason of the increased sale of goods, but the possibility that such mark had been used by others was greatly increased. It therefore happened that the question of the right of ownership in a distinctive mark between those who had adopted and used it in good faith and had made it valuable was frequently raised before the courts of England and the United States. With no statutory provision to guide them, without precedent to sustain them, in the face of a decision which had stood unchallenged for nearly a century, the courts of England and the United States, recognizing the necessities of the case, met these necessities by creating the so-called common law of trade-marks. First, it was necessary to hold that there could be a property right in the exclusive use of a particular mark. It was so held in *Millington vs. Fox*, although to so hold was contrary to the holding in *Blachard vs. Hill*. It was then necessary to determine how this property right could be acquired, under what circumstances it was lost and what kinds of marks could and what could not be the subject of such property right.

## Sale of Trade-Marks.

Trade-marks acquire value through advertising and the more familiar the public becomes with it as the distinguishing mark of any given commodity its importance as an asset increases. The essential character of a trade-mark in indicating origin, ownership and quality greatly limits its possibilities as an instrument of barter. When we consider that a trade-mark is merely a perpetual right, acquired through original adoption and use, to indicate to the purchaser of the goods to which it is attached that they are from a certain source, its sale to a new owner unaccompanied by the good-will of the original owner becomes a manifest imposition upon the public; hence legal ownership under such conditions cannot be acquired. The legal transfer of a trade-mark

is possible only when accompanied by the good-will of the business and the continued manufacture of the goods in the same place.

Further light is thrown on the subject of the transfer of trade-marks in the decision of Judge Scott in the New York Supreme Court, in the suit of J. Samuel Jacobs *vs.* James A. McCafferty. The dispute arose over the exclusive right to the trade mark "Gold Seal" as applied to the manufacture of ground white lead. Previous to April 16, 1901, the parties to the suit carried on a co-partnership business under the firm name of Jacobs & McCafferty, and one of the products of their manufacture was known as the "Gold Seal" brand of white lead. Upon the dissolution of the co-partnership, Jacobs claimed the exclusive right to the trade-mark, and brought action against McCafferty to restrain him from its use, the plaintiff claiming that he had never assigned his individual right thereto to the firm. McCafferty responded with a counter action, claiming an equal share in the mark, and succeeded in securing an injunction restraining his former partner from advertising himself as sole owner.

The courts sustained Mr. McCafferty's application for injunction and finally decided in his favor in the matter of ultimate proprietorship. Under the terms of the judgment both plaintiff and defendant in the action have an equal right of user to the disputed trade-mark.

There have been two important precedents in cases of this kind, which were cited by Ferguson & Sinnott, representing the defendants. The first was of Caswell *vs.* Hazard, where the Court of Appeals held: "The right to a trade-mark is derived from its appropriation and continual usage and becomes the property of those who first employ it and give it a name and reputation. It becomes part of the assets of the firm by which it was used and established. Upon the dissolution of the firm which has acquired its proprietary rights it remains the property of the individual members of the dissolved firm and may lawfully thereafter be used by any or either of such members desiring to continue the prosecution of the business in which it has theretofore been used."

The second precedent is found in the judgment in the case of Huwer *vs.* Dannenhoffer, which reads: "Upon the formation of a partnership a trade-mark belonging to one of the partners, in the absence of any agreement to the contrary, becomes partnership property and on the dissolution of the firm in the absence of any stipulation or agreement each of the partners has the right to use the mark."



## Chapter VIII.

### Use of Trade-Marks in the Soap Industry.

There are but few industries that surpass the soap industry in the multiplicity of trade-marks or brands and in which their value as an asset is greater. Their number has increased with the expansion of the industry, and in numerous cases they have acquired a value through the immense sums expended in familiarizing the public with them that is beyond popular conception. The soap industry is distinctively one of trade-marks, which character, more than any other, makes unification of productive control a practical impossibility without sacrificing the existence of probably nine-tenths if not more of them. Their value is in direct proportion to the expense incurred in popularizing them. Their popularity is a measure of the success of the concern using them, which popularity has been obtained in the stress of the severest competition.

A recognition of merit acquired under such conditions makes their value to the owner more appreciated, even to the degree of exaggeration. In an industry where trade-marks count for so much, we find the force of individuality greatest and with strenuous individuality we naturally find the level of productive antagonism at its highest. To the thoughtful student of economic conditions, it is a matter of regret that products of so great uniformity involve in their distribution such tremendous economic waste. Unnecessary duplication of productive effort is the bane of modern trade.

Why are brands of soap so numerous? This question requires a number of answers, each successive and following naturally upon the other. First, because there are so many separate concerns engaged in soap manufacture, each eager to acquire, if not already acquired, that productive prominence which will warrant the manufacture of every grade of soap for which there may be a remunerative market. The character of soap itself and the processes of its manufacture are such as to lend themselves not only to the production of numerous kinds or varieties of soap, but to different grades of the same variety. While the successful manufacture and sale of good soap of any quality is an intricate art requiring business management and technical skill of a high order, the

essential character of the art is such as to invite the efforts of the inexperienced and unskilled. In the face of the demoralized conditions that have been prevalent in the industry for some time past, many are to be found eager to embark in a business, who, when all other discouragements are met, still persist in a losing game with the profound faith that where others succeed it is also possible for them. Not only the new comers, but many of the old ones, remain to exist on the ragged edge of precarious profits.

The comparative ease with which raw materials may be procured and their wide extent, and comparative simplicity of factory equipment, with the universal and perennial demand for the finished product, unite as a rosy inducement for those who think there is money in the business. The force of competitive imitation is a prolific mother of new brands. A passing craze of public fancy tosses up its quota of fantastic names to be succeeded by other waves of effort to take a pecuniary advantage of the popularity of a thing, a person or an event. They spring up in the morning and wither at night. Like many other good things, most numerous at Christmas, seldom taken seriously by their owners, and in nine cases out of ten never fulfilling the requirements of a legal trade-mark.

They exist by the supreme right of original adoption and use accorded them by the common law and die from the users' abandonment.

## **A Review of the List of Trade-Marks for Soap.**

In the light of the foregoing discussion of the essential characteristics of a lawful trade-mark, a review of the lists of trade-marks registered at Washington and those classified on subsequent pages, both classes, however, having been registered with the Soap Gazette and Perfumer, will show numerous deficiencies. Attention is called to this fact in the hope that in the future soap manufacturers will observe more closely the qualifications of a lawful mark. The chief function of a compilation of trade-marks used in any industry is to enable the prospective user of a trade-mark to avoid one already in use. This is a very important matter especially when the prospective user intends to expend money in the advertising of his product. The expenditure of much time and money and controversy may thus frequently be avoided.

## **Private Brands.**

The manufacture for private parties of soap bearing their own name and trade-mark has assumed in recent years a business of such extensive proportions as to constitute a considerable part of the soap business

of the country. The private-brand business is not confined to the soap trade but is almost universal, being carried on to a greater or less degree in about every commodity from soap and ink and pharmaceutical preparations to sewing machines, patent foods and various mechanical products.

While we are not sufficiently familiar with the ethics of other lines of industry than our own to give this subject a complete and intelligent discussion, our familiarity with the soap trade encourages us in a few unprejudiced remarks on a policy which has come to be considered by many as a positive evil. The manufacture of private brands may be said to have had its origin in the ambition of certain mercantile houses—notably at first department stores and in course of time the small retailer—to have their own brand of soap which they could themselves advertise and thereby enjoy as well the publicity which would naturally be attracted to other lines of goods. The small manufacturer, with insufficient capital to establish a plant or undesirous of the responsibility of conducting manufacturing operations himself, may be included as well among the instigators of the private-brand practice. It would naturally be expected that a firm engaged in manufacturing any commodity would take a certain pride in establishing a reputation for products of a superior character and view with suspicion any policy that would detract from their own prestige or would render more unsurmountable the difficulties of competition or would in any way tend to aggravate its severities.

This is a trait of human character which we all admit and commend. Why then do firms engage in the manufacture of private brands knowing that they thereby increase the severity of competition, and what is the character of the firms who are most prominent in this practice which even they themselves condemn?

The first question is easily answered. Their confidence in the present steady volume of sales of their own brands and the ever hopeful prospects of their increasing, make them indifferent to the presence of a new brand to irritate the retailer and confuse the consumer. They may expect thereby to become able to approximate more fully the capacity of their plant than which there is probably a no more flexible combination as regards supply and demand in any industry.

This policy violates no law of economics and under ordinary circumstances would be a natural procedure. But scores of factories throughout the length and breadth of the land under the same stimuli respond in the same manner, with the result that the market is flooded with brands, which in their entirety aggregate thousands, with the inevitable result that the severities of competition are increased to a degree previ-

ously unthought of and the business reduced to a basis that offers but little inducement to the further investment of capital above the common rates of interest.

As to the character of the houses engaged in the private-brand business we can make no invidious distinction, but few if any being exempt from the practice. It may be remarked that the proportion of private brand business done by any house seems to be in inverse ratio to that house's consequence and standing in the trade. Firms with established brands that have a steady demand are loath to undertake the manufacture of private brands and do so only under the compulsion which the ill advised example of a competitor enjoins. We may cite for example extreme conditions that prevail in the private brand trade. We have on one hand the small factory eager to do business at any price that will insure a bare return, or often the large factory the popularity of whose one or more specialties has shadowed their trade in laundry soap. Such conditions prevail to-day in the trade. To keep the factory in operation, in order to more fully approximate its capacity, it will contract for private brand business at rates which the busy factory will not consider. Trade conditions in course of time will induce these latter factories to engage in this business in addition perhaps to some goods finished under private brand to favored customers, and here we observe the influence exerted by the little or no profit factory upon its more efficiently managed competitor. An exactly analogous instance may be cited in our economic history in the paralleling of one railroad by another which has in course of time by the introduction of uneconomic competition brought the former well established road to the alternative of either buying out the latter or sharing bankruptcy with it.

Prices in the meantime are being reduced to the lowest possible level, viz., the cost of producing the most expensive portion that contributes to the supply and this is done by the ill-efficient and poorly managed factories.

There is thus seen every gradation in the volume of private brand business from that factory with no confidence in the quality of their own goods and naturally without prospects of their ever becoming popular and eager to contract for private business of any character, to that well established, efficiently managed and reputable house that has confidence in the permanent popularity of its products which receive their every attention to improve. Such houses will not engage in private brand business only under the most advantageous conditions and only for products of superior quality. They have no fear that the popularity of their own brands will be affected and so contract for private work only.

under that economic injunction to push their factory to its fullest capacity in order that a greater number of units may thus be produced to share and thus to diminish the cost of production. But it may be stated that such a move is made under different conditions from those that surround the factory at the other extreme.

It will be plainly evident that there is a process of evolution at work in which commercial reputations and commercial independence are built up. To confirm which we may cite one rising soap manufacturer to this effect: "Yes, we make private brands, but would like to drop it and are doing it as fast as we can."

## **A Trade-Mark Decision Establishing A Valuable Precedent.**

The proprietors of Pears' soap, Messrs. A. & F. Pears, Ltd., sued the George S. Pears Soap Company, to restrain them from using the word "Pears." Justice Hook in the United States Circuit Court for the Western Division of the Western District of Missouri, granted a temporary injunction to stop the business of the defendants. The temporary injunction has since been made permanent by Judge Philips, of the same court.

In his oral opinion, as reported by the *Scientific American*, Judge Hook reviews the history of the makers of the original Pears' soap and finds that they have spent large sums in advertising their product, and that there has been a continuous and consistent effort to make the name "Pears" a most prominent feature in the system of advertising. The court admitted that the name Pears was not a lawful subject of a trade-mark, technically considered; but it was undoubtedly true that when a name had acquired a secondary signification, so that its use by another would amount to a fraud upon the public and upon those properly entitled to the name, steps should be taken to prevent the fraudulent use of the name.

It seems that in 1898 a corporation which styled itself the "George S. Pears Soap Company" was organized under the laws of the State of Missouri. One of the incorporators was a barber, George S. Pears by name, who seems to have been the leading spirit of the company. As a prerequisite to lawful incorporation the laws of Missouri require a payment of a certain percentage of the authorized capital. Although the incorporators certified to such payment, nothing whatever was paid by the stockholders into the treasury beyond the actual fees and expenses of preparing the documents relating to the incorporation. Pears insisted that his name should be given to the corporation. He testified

that a certain unnamed friend had given him formulæ for the manufacture of soaps.

It appeared from the testimony of persons connected with a well-known soap manufacturing company of Kansas City that it had furnished the George S. Pears Company with unstamped bars of glycerine soap, and that these soaps were not made according to any formulæ furnished by George S. Pears or any one else connected with him. It seems that after these soaps had been purchased in Kansas City they were cut and pressed by the George S. Pears Company into oval shapes similar to the English soaps, and then wrapped and boxed for the trade. In the stamping of the soap, and upon the wrappers and the boxes the word "Pears" was made a prominent feature. The complainant and its ancestors had sold scented and unscented glycerine soaps. The defendant placed upon the market similar soaps.

Although the Court admitted that there were differences in the marking and dressing of the soaps of the two companies, yet it was thought that the method pursued by retail druggists in handling and exposing soaps for sale would lead an unsuspecting purchaser to mistake the English soap for the other. Indeed, testimony showed that such was the case.

After having carefully examined the proofs the Court was convinced that "the very organization of the George S. Pears Company was conceived with a fraudulent and unlawful purpose, and that the design of the persons connected therewith was to trade upon the name, fame and reputation of the complainant. . . . The differences in the soaps of the two companies and the dressing marks and boxes are not sufficient to prevent any imposition upon the public or an invasion of complainant's rights. The use of the word 'Pears' in designating the defendant's soap is alone sufficient . . . to deceive the ordinary customer."

# PART II

## COPYRIGHTED TRADE MARKS

### FOR SOAP

CLASS 61.

Words, Phrases and Word Symbols Constituting the Marks Alphabetically Arranged.

A

Word.	Name and Residence.	No.	Date of Registration.
A. A. of I. & S. W.	R. W. Bell Mfg. Co., Buffalo, N. Y.	13444	June 22, 1896
Acme	Lautz Bros. & Co., Buffalo, N. Y.	2873	Aug. 31, 1875
Acme	" "	6425	July 30, 1878
Acme	" "	8463	July 12, 1881
Acme	" "	8589	Aug. 23, 1881
Active	J. C. Marsh & Co., Lynn, Mass.	10625	Oct. 8, 1883
Advo	McCord-Brady Co., Omaha, Neb.	35832	Jan. 29, 1901
Ah Sins—Chinese	Colgate & Co., New York, N. Y.	7076	March 4, 1879
Alabaster	W. Waltke & Co., St. Louis, Mo.	14451	May 24, 1887
Aladdin's	} Albert R. Brandley, New York, N. Y.	30673	Oct. 12, 1897
Wonderful			
Alba	Colgate & Co., New York, N. Y.	27765	Feb. 11, 1896
Alderney Cream	The J. B. Williams Co., Glastonbury, Conn.	25328	Oct. 9, 1894
Alista-Bouquet	Steele & Price, St. Louis, Mo.	4307	Jan. 23, 1877
Allbaine	A. H. Hall, Boston, Mass.	11754	Dec. 9, 1884
Alldago	W. Waltke & Co., St. Louis, Mo.	14453	May 24, 1887
Almond-Meal 124	Robinson Bros. & Co., Boston, Mass.	2795	July 27, 1875
Almond Milk	Seely Mfg. Co., Detroit, Mich.	27015	Sep. 3, 1895
Alpha Soap	Maple City Soap Works, Monmouth, Ill.	22163	Dec. 13, 1892
Alpina	Deniker & Melville, New York, N. Y.	609	Jan. 2, 1872
Already	Proctor & Gamble, Cinn., O.	11928	Feb. 10, 1885
Althene	J. W. Campion & Co., Phila., Pa.	13713	Oct. 12, 1886
Amalgamated	R. W. Bell Mfg. Co., Buffalo, N. Y.	13445	June 22, 1886
Amaryllis du Japon	} C. Blanc, Paris, France.	19566	May 26, 1891
Amber		5616	Feb. 5, 1878
Amber		9841	Nov. 28, 1882
Amber		11923	Feb. 10, 1885
Amber		11963	Feb. 17, 1885
Amber		30568	Sep. 21, 1897

Word.	Name and Residence.	No.	Date of Registration.
American Beauty	The Majestic Perfumery Co., New York, N. Y., and Nash- ville, Tenn.	19190	March 17, 1891
American Soap Powder	J. I. Richards, New Orleans, La.	30135	June 8, 1897
Amole	Mexican Amole Soap Co., Peoria, Ill.	15775	Aug. 14, 1888
Amole Diamond } King }	Mexican Amole Soap Co., Peoria, Ill.	15616	June 17, 1888
Amole-ine	Mexican Amole Soap Co., Peoria, Ill.	22203	Dec. 20, 1892
Ammolio	Ammonia Soap and Chemical Co., Chicago, Ill.	15116	Jan. 24, 1888
Anchored	Astrom & Lincoln, Bridgeport, Conn.	19240	March 31, 1891
Anita	C H. Hance, Los Angeles, Cal.	28247	May 12, 1890
Antillia	N. K. Fairbank Co., Chicago, Ill.	33604	Oct. 17, 1899
Anti-Washboard	S. Winger, Sturgis, Mich.	10672	Oct. 23, 1883
Anvil	Gowans & Co., Buffalo, N. Y.	4461	March 20, 1877
Aqua Saponis	The Wright Mfg. Co., Phila., Pa.	7007	Feb. 4, 1879
Arab	Proctor & Gamble, Cinn., O.	9886	Dec. 19, 1882
Arab	" "	11926	Feb. 10, 1885
Arcade	J. S. Kirk & Co., Chicago, Ill.	11236	June 10, 1884
Argenta	" "	11243	" "
Ark	N. K. Fairbank Co., Chicago, Ill.	35147	Sep. 25, 1900
Army and Navy	The Allen Hay Co., New York, N. Y.	5310	Nov. 13, 1877
Arrowene	Wm. Dock & Co., Cinn., O	26331	April 2, 1895
Arthur Robottom	Jesse Ascough, Handsworth, Eng.	13494	July 13, 1886
Arthur Robottom	" "	13482	" "
Asbestolio	United Asbestos Co., London, Eng	17997	June 3, 1890
Asbestos	Herbert M. Small and Henry B. Teed, Baldwinville, Mass.	24543	April 17, 1894
Aunt Mary's	Oakley Soap & Perf. Co., New York City.	26454	April 23, 1895
Aurora	T. A. Butler, New Bedford, Mass.	8074	Oct. 26, 1880
Auto	Mark Ulgers, Phila., Pa.	33879	Dec. 12, 1899
Avis	Proctor & Gamble, Cinn., O.	6291	June 25, 1878
<b>B</b>			
Baby Ruth	Firm of Solon Palmer, N. Y. City	22363	Jan. 24, 1893
Baby Soap	Robinson Bros. & Co., Boston, Mass.	4018	Sep. 26, 1876
Barillol	J. Amder, Hamburg, Germany.	35639	Dec. 25, 1900
Balsam Fir	Maine Balsam Fir Co., Boston, Mass.	15503	" "
Banjo	Proctor & Gamble Co., Cinn., O.	19724	June 16, 1891
Banjo, etc.	" "	19725	" "
Barber's Bar	J. B. Williams & Co., Glaston- bury, Conn.	3784	June 13, 1876



Word.	Name and Residence.	No.	Date of Registration.
Barber's Bar	J. B. Williams & Co., Glastonbury, Conn.	9190	March 14, 1882
Barbers' Favorite	J. B. Williams & Co., Glastonbury, Conn.	1185	March 25, 1873
Barbers' Favorite	J. B. Williams & Co., Glastonbury, Conn.	9133	Feb. 21, 1882
Base Ball	Butler Bros., Chicago, Ill.	15483	May 22, 1888
Batholene	M. G. Hill, Tempe, Arizona.	35077	Sep. 18, 1900
Bee	Colgate & Co., N. Y. City.	23632	Sep. 19, 1893
Belle	J. Dietrich & Co., San Antonio, Texas,	25156	Aug. 21, 1894
Bell's Hygea	Belle V. Cushman, N. Y. City.	24895	June 19, 1894
Benzoin Cosmetic	H. & J. Brewer, Springfield, O.	5512	Jan. 15, 1878
Benzoine	Stanton Soap Co., Tacony, Pa.	31400	March 8, 1898
Best	B. T. Babbitt, New York, N. Y.	5230	Oct. 16, 1877
Bevel Edge	Sam'l C. Adler, Phila., Pa.	13695	Sep. 28, 1886
Big Bonanza	A. E. Whyland, New York, N.Y.	2634	June 1, 1875
Big 5	Lautz Bros. & Co., Buffalo, N.Y.	12799	Nov. 24, 1885
Big X	J. H. Keller Soap Works, New Orleans, La.	19927	July 28, 1891
Bitter Sweet	Allen Conkling, Chicago, Ill.	37111	Sep. 24, 1901
Black Diamond } Harver's Soap }	W. Green, New York, N. Y.	6537	Sep. 3, 1878
Bleacher	Day & Frick, Phila., Pa.	5403	Dec. 11, 1877
Bleaching Days	" "	5444	Dec. 18, 1887
Blue	Proctor & Gamble, Cinn., O.	9880	Dec. 19, 1882
Blue Mottled	Jesse Oakley, New York City.	770	April 16, 1872
Blue Mountain } S. & Co. }	I. Stine, Chambersburg, Pa.	12550	Sep. 1, 1885
Blue Ribbon	Proctor & Gamble, Cinn., O.	17550	Feb. 18, 1890
Blue Ribbon, etc.	" "	17553	" "
Bon Ami	J. T. Robertson Soap Co., Manchester, Conn.	21425	July 5, 1892
Bo-Peep	Prouty-Bowler Soap Co., Des Moines, Ia.	27712	Jan. 28, 1896
Borax	Jesse Ascough, Handsworth, Eng.	13483	July 13, 1886
Borax, etc.	Thomas Gill, Jersey City, N. J.	4312	Jan. 30, 1877
Boraxaid	Pacific Coast Borax Co., San Francisco, Cal.	28490	June 30, 1896
Borinquen	J. S. & T. Elkinton, Phila., Pa.	32704	April 11, 1899
Boston Drummer	Jacob Leser, Austin, Texas.	17853	May 6, 1890
Brightlight	J. G. Haas Soap Co., St. Louis, Mo.	35299	Oct. 23, 1900
Bro. Benjamin's	Benj. J. Pruns, San Francisco, Cal.	3696	Aug. 27, 1901
Brownie	Herman E. Dick, Chicago, Ill.	21366	June 28, 1892
"Brown's"	T. Curran, Newark, N. J.	4818	July 3, 1877
Buchanan's No 111	L. N. Brunswig, New Orleans, La.	27393	Dec. 3, 1895
Bucket	H. H. Wheeler, H. Tomb and T. S. Tingling, Tiffin, O.	10706	Nov. 6, 1883
Buckeye	Jos. P. Davies, Dayton, O.	15985	Nov. 6, 1888
Buffalo	R. W. Bell & Co., Buffalo, N.Y.	1218	April 22, 1873
"Buffalo Soap Co."	Buffalo Soap Co., Buffalo, N. Y.	1651	March 3, 1874
Bullion	J. S. Kirk & Co., Chicago, Ill.	12573	Sep. 15, 1885
Burded	A. T. Crawley, Chelsea, Mass.	4601	May 1, 1877

**C**

Word.	Name and Residence.	No.	Date of Registration.
C. & Co.	Colgate & Co., N. Y. City. (Re-registration.)	579	May 25, 1875
"C. & Bro."	Cornwell & Bro., Louisville, Ky.	4835	July 10, 1877
Calasko	Patent Borax Co., Ltd., Birmingham, Eng.	34500	April 17, 1900
Calendar	J. S. Kirk & Co., Chicago, Ill.	3835	July 4, 1876
California	J. Biechele, Canton, O.	3461	Feb. 29, 1876
Calumet Bouquet	J. S. Kirk & Co., Chicago, Ill.	12619	Oct. 6, 1885
Callustro	Calustro Co., San Francisco, Cal.	17541	Feb. 18, 1890
Cambria	J. S. Kirk & Co., Chicago, Ill.	12604	Sept. 29, 1885
Camphorine	S. Strung, Pittsburg, Pa.	12438	July 21, 1885
Candy	James Tulloch, Chicago, Ill.	31423	March 15, 1898
Capitol	Lautz Bros. & Co., Buffalo, N. Y.	8514	July 26, 1881
Capitol Harness	Capitol Mfg. Co., Springfield, Mass.		
Soap		20946	April 5, 1892
Caprice	Colgate & Co., New York, N. Y.	22548	Feb. 28, 1893
Car Cleaner	American Chemical Co., Minneapolis, Minn.	26907	Aug. 6, 1895
Carbolacene	W. & J. Walker, Liverpool, Eng.	29022	Oct. 20, 1896
Carbolic	J. Buchan & Co., N. Y. City	1748	April 28, 1870
Carmel	F. S. Nichols, Englewood, N. J.	7196	April 15, 1879
Carmel	J. S. Wetmore, Englewood, N. J.	12155	April 21, 1885
Carpet	Chas. E. Bonte, Cinn., O.	24999	July 10, 1894
Casco	Proctor & Gamble, Cinn., O.	17420	Jan. 21, 1890
Casco, etc.	" "	17421	"
Cashmere	" "	22547	"
Cashmere Bouquet	Colgate & Co., N. Y. City. (Re-registration.)	2578	May 25, 1875
Cashmere Bouquet	Colgate & Co., N. Y. City.	22546	Feb. 28, 1893
Cost Mark	J. F. Humphreys & Co., Bloomington, Ill.	35479	Nov. 20, 1900
Cotto	Globe Refining Co., Louisville, Ky.	30567	Sept. 21, 1897
Cotton Bale	The Christopher Lipps Co., Balto., Md.	27460	Dec. 10, 1895
Cotton Oil	Sherwood & Genin, Buffalo, N. Y.	1343	July 1, 1873
Cotton Oil	Lautz Bros. & Co., Buffalo, N. Y.	8464	July 12, 1881
Countess Olive	Proctor & Gamble, Cinn., O.	9883	Dec. 19, 1882
Crash	Schultz & Co., Zanesville, O.	10324	May 29, 1883
Cream	W. Provost, Brooklyn, N. Y.	9286	April 11, 1882
Cream Lily	Adler Bros. & Co., Phila., Pa.	13403	June 15, 1886
Creamine	Enterprise Soap Works, Nashville, Tenn.	23140	May 30, 1893
Cream White	J. S. Kirk & Co., Chicago, Ill.		
Honey		13623	Aug. 31, 1886
Creme Simon	Joseph Simon, Paris, France.	17150	Oct. 29, 1889
Crest	Curtis Davis & Co., Cambridge, Mass.	29319	Dec. 15, 1896
Criterion	C. E. Marsh & Co., Lynn, Mass.	18086	June 24, 1890
Crosfield	Jos. Crosfield & Sons, Warrington, Eng.	14976	Nov. 29, 1887

Word.	Name and Residence.	No.	Date of Registration.
Crown D and M (2)	Deniker & Melville, N. Y. City.	85	Dec. 6, 1870
Crown Jewel	McKeone, Van Haagen & Co., Phila., Pa.	2347	April 6, 1875
Crystal	Benj. Brooke & Co., Phila., Pa.	17540	Feb. 18, 1890
Crystal Salicine	E. Kraft & Co., N. Y. City.	2958	Sep. 21, 1875
Crystola	Jas. S. Kirk & Co., Chicago, Ill.	15710	July 24, 1888
Cui Bono	Curtis Davis & Co., Boston, Mass.	16490	April 16, 1889
Curara	Dillern & Ackermann, N. Y. City	13065	March 2, 1886
Cura Regia	Cura Regia Medicine Co., New Orleans, La.	19919	July 21, 1891
Cuticura	The Potter Drug and Chemical Co., Boston, Mass.	11875	Jan. 20, 1885
Cyclone	Albert Angell, Newark, N. J.	13544	Aug. 3, 1886
Czar	R. W. Bell & Co., Buffalo, N. Y.	3191	Dec. 7, 1875
Census	Colgate & Co., N. Y. City.	18951	Feb. 10, 1891
Centennial	I. Warren, Wheeling, Va.	2901	Sep. 7, 1875
Centennial	C. Shultze, Detroit, Mich.	3766	June 13, 1876
Cen-10-Eye and M	McCullough Soap Co., Mil- waukee, Wis.	4971	July 31, 1877
Cen-10-Eye-Al.	McCullough Soap Co., Mil- waukee, Wis.	8258	May 24, 1881
Ceres	J. S. Kirk & Co., Chicago, Ill.	11185	May 13, 1884
Ceske Mijldo	Jos. Cervinka, Chicago, Ill.	14342	May 3, 1887
Ceylon	J. S. Kirk & Co., Chicago, Ill.	6971	Jan. 21, 1879
Chain	Day & Frick, Phila., Pa.	6463	Aug. 13, 1878
Chain (three links)	" "	6491	Aug. 20, 1878
Crystal Salicine	E. Kraft & Co., N. Y. City.	2958	Sep. 21, 1875
Chamois	J. M. Jones, Jersey City, N. J.	4791	June 26, 1877
Champion	Reuben K. Miller, Pawtucket, R. I.	16927	Aug. 13, 1889
Champion of the } West }	John T. Evans, Cypress, Ky.	31401	March 8, 1898
Chapped	Reed & Co., Pittsburg, Pa.	2084	Nov. 17, 1874
Charcoline	Ed. L. Baldwin, Detroit, Mich.	17790	April 22, 1890
Charmant	Cécile Preis, New York, N. Y.	28042	March 3, 1896
Charter Oak	Holmes & Fuller, Hartford, Ct.	4788	June 27, 1877
Cheerful	Arthur Marsh, Lynn, Mass.	16105	Dec. 18, 1888
Cherub	N. K. Fairbanks & Co., Chic., Ill.	12463	Aug. 4, 1885
Chicago Family	" "	13545	Aug. 3, 1886
Cinch	Wallace Kirk Soap Co., Chi., Ill.	27281	Nov. 19, 1895
Chinese	A Melzer & Co., Evansville, Ind.	5547	Jan. 22, 1878
Chinese Laundry	Bowen & Kinnear, Leavenworth, Kans.	3842	July 11, 1876
Chinese-San Goon	J. McKeone, Phila., Pa.	4972	July 31, 1877
Chiswick	Jno. M. Gwinnell, Newark, N. J.	15495	May 22, 1888
Circus	Lautz Bros. & Co., Buffalo, N. Y.	11635	Nov. 11, 1884
Citrus	Citrus Soap Co., San Diego, Cal	3475	May 22, 1900
Clabber	Bernheimer Bros., Balto., Md.	22842	April 18, 1893
Clairette	N. K. Fairbank & Co, Chi, Ill.	19674	June 9, 1891
Clean Fast	Proctor & Gamble, Cinn., O.	11040	March 25, 1884
Clean Quick	" "	11920	Feb. 10, 1885
Clean Quick	" "	11038	March 25, 1884
Clean Well	" "	11042	March 25, 1884

Word.	Name and Residence.	No.	Date of Registration.
Cleaner Right Clipper	Jno. Shepard, Jr., Providence, R. I.	30977	Dec. 14, 1897
Clipper Shaving	J. B. Williams & Co., Glastonbury, Conn.	9131	Feb. 21, 1882
Clover	J. B. Williams & Co., Glastonbury, Conn.	3752	June 6, 1876
Clover	Columbia Mfg. Co., Boston, Mass.	15525	May 29, 1888
Clover, etc.	Proctor & Gamble, Cinn., O.	19188	March 17, 1891
Club Bath	" " "	19189	" "
C. M. Williams } (Signature) }	J. S. Kirk & Co., Chicago, Ill.	12620	Oct. 6, 1885
Cold Water	Carleton M. Williams, Phila., Pa.	26369	April 9, 1895
Coaline	A. Warfield, Phila., Pa.	59	Nov. 8, 1870
Coal Oil Johnny's	Frank G. Burke, New York, N. Y.	30245	June 22, 1897
Coleo	Maross Jenkins, New York, N. Y.	33817	Nov. 28, 1899
Collier	Colgate & Co., New York City.	17956	May 27, 1890
Colonial	Coryell & Russ, St. Mary's, Pa.	4380	Feb. 20, 1877
Colonial	J. B. Williams & Co., Glastonbury, Conn.	28142	April 14, 1896
Columbia	Allen B. Wrisley & Co., Chicago, Ill.	36561	June 11, 1901
Comfort Soap	J. S. Kirk, Chicago, Ill.	7705	Sep. 30, 1870
Common Sense	Pugsley, Dingman & Co., Toronto, Can.	28655	July 21, 1896
Common Wealth	H. E. Burger, Brooklyn, N. Y.	4546	April 17, 1877
Concord	J. S. Kirk & Co., Chicago, Ill.	12618	Oct. 6, 1885
Congress	Proctor & Gamble, Cinn., O.	15857	Sep. 11, 1885
Copco	J. S. Kirk & Co., Chicago, Ill.	12590	Sep. 22, 1885
Coral	Cotton Oil Product Co., Union, N. J.	18649	Nov. 25, 1890
Coral	Lever Bros., Ltd., Post Sunlight, Eng.	30786	Nov. 2, 1897
Corliss	Lever Bros., Ltd., Post Sunlight, Eng.	31073	Jan. 4, 1898
Corliss	R. W. Bell & Co., Buffalo, N. Y.	4415	April 3, 1887
Cosmo	" " "	4454	March 20, 1877
Coronet	J. S. Kirk & Co., Chicago, Ill.	11237	June 10, 1884
	" " "	6870	Jan. 21, 1879
<b>D</b>			
Dandy	N. K. Fairbanks & Co., Chi., Ill.	15168	Oct. 14, 1884
Dawn	E. L. Crosby, Des Moines, Ia.	35747	Jan. 8, 1901
Dayton Belle	Pioneer Tar Soap Co., Dayton, O.	33293	Aug. 1, 1899
Delica	Ohio Soap Co., Cinn., O.	22021	Nov. 22, 1892
Delight	Wabash Soap and Chemical Co., Wabash, Ind.	25691	Dec. 18, 1894
Deltaso	Delta Mfg. Co., St. Louis, Mo.	30114	June 1, 1899
Derby	Proctor & Gamble, Cinn., O.	11930	Feb. 10, 1885
Dermal	Colgate & Co., N. Y. City.	11995	March 10, 1885
Diamond	Empire Soap Co., St. Louis, Mo.	12206	May 5, 1885
Dingman	Pugsley, Dingman & Co., Toronto, Canada.	13123	March 23, 1886

Word.	Name and Residence.	No.	Date of Registration.
Dirt Killer	N. Sheldon, Providence, R. I.	2126	Dec. 15, 1874
Dish Rag	Shultz & Co., Zanesville, O.	8611	April 30, 1881
Dr. C. A. Bode (Sig)	Bode & Daly, New York, N. Y.	29183	Nov. 17, 1896
Dr. Park Sulpho { Carbol }	H. A. S. Park, Indianapolis, Ind.	27282	Nov. 19, 1895
Dollar Reward	Rappleye & Knight, Phila., Pa.	431	Aug. 22, 1871
Dome	J. S. Kirk & Co., Chicago, Ill.	12572	Sep. 15, 1885
Domestic	C. Davis, Cambridgeport, Mass.	670	Feb. 27, 1872
Domestic	C. Davis & Co., Boston, Mass.	8362	May 24, 1881
Donkey	Benj. Brooke & Co., Phila., Pa.	26033	Feb. 12, 1895
Dotein	Fidanque, Nieto & Co., New York, N. Y.	34032	Jan. 9, 1900
Dove	W. Mulchahey, N. Y. City.	8643	Sep. 13, 1881
Dover	Proctor & Gamble, Cinn., O.	11450	Aug. 26, 1884
Dover	" "	11938	Feb. 10, 1885
Druggists	Graham Bros. & Co., Chi., Ill.	13849	Dec. 7, 1886
Dublin	Cornwall & Bro., Louisville, Ky.	4868	July 17, 1877
Duchess Olive	Proctor & Gamble, Cinn., O.	9877	Dec. 19, 1882
Duck	Shultz & Co., Zanesville, O.	16527	April 23, 1889
Dude	N. K. Fairbanks & Co., Chi., Ill.	12208	May 5, 1885
Duffy's Secret	Michael H. Duffy, Paterson, N. J.	16224	Jan. 29, 1889
Duzitall	Lautz Bros. & Co., Buffalo, N. Y.	18085	June 24, 1890
<b>E</b>			
E., etc.	Geo. W. Dyrman, Columbus, O.	22204	Dec. 20, 1892
Easy Work	Reade Mfg. Co., Chicago, Ill.	21749	Sep. 13, 1892
Ebony	J. S. Kirk & Co., Chicago, Ill.	11265	June 17, 1884
Eclipse	J. H. Van Dyke, Port Jervis, N. Y.	8066	Oct. 12, 1880
Economy	W. Dreydoppel, Phila., Pa.	555	Nov. 28, 1871
Edelweiss	F. R. Arnold & Co., N. Y. City.	15072	Jan. 3, 1888
Edenia	Ladd & Coffin, N. Y. City.	16710	June 11, 1889
Egg White	Chas. F. Miller, Lancaster, Pa.	29864	April 20, 1897
Eighty-eight	B. T. Babbitt, N. Y. City.	6226	June 18, 1878
El-Chimborazo, { Ecuador }	F. G. Pierra & Co., N. Y. City.	8071	Oct. 19, 1880
Electric Light	P. ds & Co., Indianapolis, Ind.	10763	Dec. 4, 1883
Electric Star { Soap }	Willis Johnson, Washn., D. C.	25907	Jan. 22, 1895
Electro Magnet	Detroit Electric Soap Co., Detroit, Mich.	20188	Oct. 6, 1891
Electron	Electron Mfg. Co., Phila., Pa.	15792	Aug. 21, 1888
El Progreso	A. Stephani & Co., N. Y. City.	9624	Aug. 22, 1882
Elysian	Los Angeles Soap Co., Los Angeles, Cal.	35739	Jan. 8, 1901
Emerald	T. Warren, Wheeling, W. Va.	2900	Sep. 7, 1875
Empire City	J. Armstrong & Co., Balto., Md.	11273	June 24, 1884
Empire Westward	J. S. Kirk & Co., Chicago, Ill.	5988	April 30, 1878
Emperor Savon	A. Man & Co., San Fran., Cal.	4157	Nov. 28, 1876
Empress	Monteath & Co., Albany, N. Y.	4777	June 26, 1877
Empr'ss Josephine	Bippus & Briedenbach, Dayton, O.	21522	July 26, 1892

Word.	Name and Residence.	No.	Date of Registration.
Enfleurine	American Enfleurage Co., New York City.	21319	June 21, 1892
Enoch Arden- } Solicio } Enterprise } Enweka }	Adrot Christello & Co., Chic., Ill. Geo. Reichhard, N. Y. City. Nord-deutsche Wollkämmerei, Bremen, Germany.	12931 20149 36050	Jan. 12, 1886 Sep. 15, 1891 March 12, 1901
Epithema	Albert Geissert, Phila., Pa.	35148	Sep. 25, 1900
Erin go Bragh } Irish }	Schultz & Co., Zanesville, O.	1997	Sep. 22, 1877
Erin go Bragh } Shamrock }	Lautz Bros. & Co., Buffalo, N. Y.	3814	July 8, 1875
Erin go Bragh } Shamrock }	" "	8462	July 12, 1881
Eucalinum	Rocke, Tomsitt & Co., London, Eug.	15079	Jan. 3, 1888
Eutoca	J. S. Kirk & Co., Chicago, Ill.	11235	June 10, 1884
Every Day	Proctor & Gamble, Cinn., O.	9891	Dec. 19, 1882
Every Day	" "	11934	Feb. 10, 1885
Ewes It.	Raworth & Schodde, Chic., Ill.	26516	May 7, 1895
Excelo	American Soap Mfg. Co., Phila., Pa.	31074	Jan. 4, 1898
Extra	Proctor & Gamble Co., Cinn., O.	9842	Nov. 28, 1882
Extra	" "	11924	Feb. 10, 1885
Extra No. 1, } Pale Soap }	Oliver Cutts & Co., Port au Prince, Hayti.	1462	Sep. 23, 1873
E. Z.	Reade Mfg. Co., Chicago, Ill.	21813	Oct. 4, 1892
<b>F</b>			
Fabrica Premiata	Ugo Conti, Leghorn, Italy.	26972	Aug. 20, 1895
Fairy	N. K. Fairbanks & Co., Chic., Ill.	12857	Dec. 18, 1885
Falcon	M. Werk Co., Cincinnati, O.	29516	Jan. 26, 1897
Famous	Proctor & Gamble, Cinn., O.	9885	Dec. 19, 1882
Farina	Robinson Bros. & Co., Boston, Mass.	3201	Dec. 7, 1875
Fashion	Robinson Bros. & Co., Boston, Mass.	2978	Sep. 21, 1875
Favorite	R. W. Bell & Co., Buffalo, N. Y.	2364	April 13, 1875
Feather Soap	Kendall Mfg. Co., Prov., R. I.	30042	May 18, 1897
Fern	Kansas City Soap Co., Kansas City, Kan.	19140	March 3, 1891
Five Cent	R. M. Burwell & Sons, New Haven, Ct.	7269	May 6, 1879
Flag	J. E. Weaver, Lancaster, Pa.	4396	Feb. 25, 1877
Flannel	N. K. Fairbanks & Co., Chi., Ill.	12916	Jan. 5, 1886
Florida Water	D. F. Packer, Mystic River, Con.	2170	Jan. 17, 1875
Florinette	M. T. Rosenheim, Phila., Pa.	34424	April 3, 1900
Forest Fringe	David S. Brown & Co., New York, N. Y.	27895	March 3, 1896
French Process, } New }	Commercial Oil and Soap Co., Parkersburg, W. Va.	12286	June 2, 1885

Word.	Name and Residence.	No.	Date of Registration.
French Laundry } Soap Fruit of Industry }	Kendall Mfg. Co., Prov., R. I. Lincoln Mfg. Co., Prov., R. I.	22164 2406	Dec. 13, 1892 April 20, 1875
<b>G</b>			
Game Counter Gasarine	C. S. Higgins, Brooklyn, N. Y. Chas. H. Dixson, Port Norris, N. J.	7850 20857	March 9, 1880 March 22, 1892
Gen'l Jackson Genuine Horse Brand }	Oberne, Hosick & Co., Chi., Ill. Jos. Biechele Soap Co., Canton, O. Sylvan Toilet Co., Detroit, Mich.	13010 21364 36415	Feb. 9, 1886 June 28, 1892 May 14, 1901
Geranium Lilly German German Laundry German No. 1 Germicide Germicide Getsum Geyselite Giant	C. S. Higgins & Co., Brlyn, N. Y. " " Proctor & Gamble, Cinn., O. Fels & Co., Phila., Pa. " " United Grocery Co., Yonk's, N. Y. Geyselite Soap Co., Denver, Col. Robinson Bros. & Co., Boston, Mass.	3211 8318 11960 25272 13839 36338 24392 4892	Dec. 7, 1875 June 7, 1881 Feb. 17, 1885 Sep. 25, 1894 Nov. 30, 1886 April 30, 1901 March 20, 1894 July 17, 1877
Gift. Gift Gilt Edge Globe Globe Glory Gloss G. N. U.	S. Strunz, Pittsburg, Pa. S. Strong, Pittsburg, Pa. N. Sheldon, Providence, R. I. W. Mulchahey, Middlebury, Ct. W. Mulchahey, N. York City. Georgia Soap Co., Atlanta, Ga. Lautz Bros. & Co., Buffalo, N. Y. Rich'd C. Scott, near Liverpool, Eng.	3880 8595 4198 6359 8644 17296 10218 17948	July 25, 1876 Aug. 23, 1881 Dec. 12, 1876 July 16, 1878 Sep. 13, 1881 Dec. 17, 1889 April 24, 1883 May 27, 1890
" Goetzmann & Son "	Goetzmann & Son, Rochester, N. Y.	6314	July 2, 1878
Go-Get-It.	Curtis Davis & Co., Cambridge, Mass.	29321	Dec. 15, 1896
Gold Gold Dollar	Schulz & Co., Zanesville, O. Robinson Bros. & Co., Boston, Mass.	3429 4611	Feb. 1, 1876 May 1, 1877
Gold Dust Gold Dust Gold of Ophir Golden Bar Golden Bar Golden Comet Golden Eagle	C. Davis & Co., Cambridge, Mass. C. Davis & Co., Boston, Mass. J. S. Kirk & Co., Chicago, Ill. Proctor & Gamble, Cinn., O. " " Senderhauf & Schultz, Mil., Wis. Jas. W. Popham & Co., Eliza- bethtown, Ky.	5210 8363 11244 9878 11937 9796 15903	Oct. 16, 1877 June 4, 1881 June 10, 1884 Dec. 19, 1882 " " " " Sep. 25, 1888
Golden Lotus Bouquet }	D. S. Brown & Co., N. Y. City.	6550	Sep. 3, 1878
Golden Palm Golden Rod	C. Earle, Allentown, Pa. B. A. Lynde & Son Co., Warren, Pa.	5447 18954	Dec. 18, 1877 Feb. 10, 1891

Word.	Name and Residence.	No.	Date of Registration.
Good Luck	Proctor & Gamble, Cinn., O.	9892	Dec. 19, 1882
Good Luck	" "	11936	Feb. 10, 1885
Twin Shoes }	C. E. Marsh & Co., Lynn, Mass.	10626	Oct. 9, 1883
Good Will	Tho. Armstrong, Balto., Md.	21455	July 19, 1892
Goody 2 Shoes	Benj. Brooke & Co., Phila., Pa.	26121	Feb. 26, 1895
Gorilla	Wm. Gossage & Sons, Liverpool, Eng.	21918	Nov. 1, 1892
Gossage's	Ladd & Coffin, N. Y. City.	16664	June 4, 1884
Goya Lily	Amalga Soap Co., Brooklyn, N. Y.	22691	March 21, 1893
Grand Army	Beaver & Co., Dayton, O.	16132	Jan. 1, 1889
Grandma's	" "	15565	June 5, 1888
Grandpa's	Diamond Dust Soap Powder Co., Savannah, Ga.	28817	Aug. 25, 1896
Green Diamond	Proctor & Gamble, Cinn., O.	17551	Feb. 18, 1890
Green Ribbon	" "	17854	May 6, 1890
Green Ribbon	N. K. Fairbank Co., Chi., Ill.	34751	June 5, 1900
Green Seal			
<b>H</b>			
"H and H"	Hyde Carpet Cleaner and Moth Exterm'ng Co., Des Moines, Ia.	19256	March 31, 1891
Hair Pin	Chris. Lipp Co., Balto., Md.	24292	March 6, 1894
Hair Soap	J. W. Thomas, New Orleans, La.	5443	Dec. 18, 1877
Half Moon	" "	11962	Feb. 17, 1885
Hamburger Seife	Lautz Bros. & Co., Buffalo, N. Y.	3215	Dec. 7, 1875
Hamburger Seife	" "	8461	July 12, 1881
Handy	Proctor & Gamble, Cinn., O.	9896	Dec. 19, 1882
Handy	" "	11919	Feb. 10, 1885
Handkerchief	Schultz & Co., Zanesville, O.	9795	Nov. 7, 1882
Hard Water	Obern Hosick & Co., Chi., Ill.	12848	Dec. 15, 1885
Hare	J. W. Thomas, New Orleans, La.	6324	July 2, 1878
Harlequin	Wm. V. Blissett, New York, N. Y.	30862	Nov. 16, 1897
Heather of the	Ladd & Coffin, New York, N. Y.	29863	April 20, 1897
Links }			
Heiskell's, etc.	Johnston, Holloway & Co., Phila., Pa.	31593	May 24, 1898
Henrietta	M. L. Edwards, Phila., Pa.	16764	July 2, 1889
Heptagon	David Rupp, N. Y. City.	26739	June 25, 1895
Higgins C. S. & Co.	" "	3212	Dec. 7, 1875
Ho Cake	Harry K. Buck, Phila., Pa.	18071	June 24, 1890
Hoe Cake	" "	18073	" "
Holdfast	Proctor & Gamble, Cinn., O.	17806	April 22, 1890
Holdfast, &c	" "	17807	" "
Home	The Kendall Mfg. Co., Provi., R. I.	2296	March 16, 1875
Honor Bright	Larkin Soap Co., Buffalo, N. Y.	31985	Sep. 20, 1898
Hoosier	Wabash Soap & Chemical Co., Wabash, Ind.	25590	Dec. 4, 1894
Horse Brand	Darier De Rouffia & Co., Mar-seilles, France.	5240	Sep. 28, 1877
Hot Springs	Norman B. Lichty, Des Moines, Ia.	19503	May 12, 1891
Skin Soap }			



Word.	Name and Residence.	No.	Date of Registration.
Housekeepers } Delight Hudnutine Hydroleine	A. W. Stadler, Cleveland, O. Richard Hudnut, N. Y. City. F. J. Harrison & Co. (Ltd.), London, England.	27479 23368 14828	Dec. 17, 1895 July 18, 1893 Oct. 18, 1887
Hygiene Soap	D. A. Kendall, East Orange, N. J.	26866	July 23, 1895
I			
Ichtholan	Hermann & Co., Hamburg, Germany.	35548	Dec. 4, 1900
Ichthosot	Hermann & Co., Hamburg, Germany.	36204	April 9, 1901
Ichthyosapol	Hermann & Co., Hamburg, Germany.	36206	April 9, 1901
I-Ki-Lene	Jas. S. Kirk & Co., Chicago, Ill.	37037	Sep. 10, 1901
Ideal	Chris. Lipps, Balto., Md.	18314	Aug. 19, 1890
I'm all Right	Allen B. Wrisley, Chicago, Ill.	24624	May 1, 1894
Imperial	Sterns & Gordon, N. Y. City	22496	Feb. 21, 1893
Imperial Olive	J. S. Kirk & Co., Chicago, Ill.	12569	Sep. 15, 1885
India	" "	15257	March 6, 1888
Indian Paste	Chas. A. Breyer, Phila., Pa.	15984	Nov. 6, 1888
Indian Bouquet	S. Palmer, Newark, N. J.	6604	Sep. 24, 1878
India Bouquet	Firm of Solon Palmer, N. Y. City	21397	June 28, 1892
Indigo and Soap	H. C. Borgner, Lebanon, Pa.	776	April 22, 1872
Infant	Robinson Bros. & Co., Boston, Mass.	4323	Jan. 30, 1877
Infanta	Mühlens & Kropff, New York, N. Y.	23357	July 11, 1893
Irish	Schultz & Co., Zanesville, O.	2418	May 4, 1875
Irish, Erin go } Bragh	Schultz & Co., Zanesville, O.	1997	Sept. 22, 1874
Irish Shamrock	Lautz Bros. & Co., Buffalo, N. Y.	3814	June 27, 1876
Irish Shamrock } Erin go Bragh }	Lautz Bros. & Co., Buffalo, N. Y.	8462	July 12, 1881
I. S. Co.	Jno. W. and T. S. Alexander, Burlington, Iowa.	21839	Oct. 4, 1892
Itata	G. D. Stead Soap Co., San Diego, Cal.	25271	Sep. 25, 1894
Ivory	Proctor & Gamble, Cinn., O.	7701	Sep. 23, 1879
Ivory	" "	9827	Nov. 21, 1882
Ivory, etc.	" "	11939	Feb. 10, 1885
Ivory Date	" "	12478	Aug. 4, 1885
Ivory Paste	" "	30300	June 29, 1897
IXL	E. B. Dresser Soap Co., Kansas City, Mo.	20407	Nov. 24, 1891
J			
J. A. & Co.	J. Armstrong & Co., Balto., Md.	11563	Oct. 14, 1884
Jacrose	Chas. G. Buck, Chicago, Ill.	24262	Feb. 20, 1894
Jack Tar	Prouty-Bowler Soap Co., Des Moines, Ia.	27711	Jan. 28, 1896

Word.	Name and Residence.	No.	Date of Registration.
Japan Olive	Proctor & Gamble, Cinn., O.	7777	Nov. 11, 1879
Japan Olive	" "	9828	Nov. 21, 1882
Japan Olive, etc.	" "	11929	Feb. 10, 1885
Japanese	L. I. Fisk & Co., Springfield, Mass	3029	Oct. 12, 1875
Jersey Cream	Jarmuth Bros., Chicago, Ill.	24009	Jan. 9, 1894
Jersey Cream	The J. B. Williams Co., Glastonbury, Conn.	25104	Aug. 7, 1894
Jewel	N. K. Fairbank Co., Chicago, Ill.	33605	Oct. 17, 1899
J. M. V.	J. M. Van Dyke, Phila., Pa.	3974	Sep. 5, 1876
Jubilee	C. Lipps, Balto., Md.	3230	Dec. 14, 1875
Just Fits the Hand	Proctor & Gamble, Cinn., O.	16249	Feb. 5, 1889
Juvenile	J. S. Kirk & Co., Chicago, Ill.	10695	Nov. 6, 1883
<b>K</b>			
Kaliston	The Allen Hay Co., N. Y. City.	5311	Nov. 13, 1877
Kamfolio	Allen & Hanburys, Ltd., London, England.	35736	Jan. 8, 1901
Kangaroo	Frank G. Burke, New York, N. Y.	28040	March 31, 1896
Kasey's Soap	Thos. A. Kasey, Salem, Va.	29317	Dec. 15, 1896
Ke Li	The Ke Li Mfg. Co., N. Y. City.	23203	June 13, 1893
Kern	Falk Bros., N. Y. City.	14203	March 29, 1887
King	J. Oakley & Co., Newburg, N. Y.	1771	May 5, 1874
King	L. and J. Oakley, Newburg, N. Y.	12218	May 5, 1885
King Solomon	A. H. Martin, New York, N. Y.	28275	May 19, 1896
Kitchen Crystal	R. Eastman, Phila., Pa.	4460	March 20, 1877
Kitchen Chrystal	Benj. Brooke & Co., Phila., Pa.	17391	Jan. 14, 1890
Kitchen Mineral } Index Hand }	C. F. Bates, Quincy, Mass.	6462	Aug. 13, 1878
Kleanit	Kleanit Mfg. Co., Akron, O.	24393	March 20, 1894
Kleenaline	Benj. Brooke & Co., Phila., Pa.	14826	Oct. 18, 1887
Knock-Em-Stiff	L. J. Maloney, Boston, Mass.	33602	Oct. 17, 1899
Koko	H. and G. A. Roever, Cinn., O.	13479	July 6, 1886
Kom-Plex-Yon	Van Dyke Mfg. Co., Rutherford, N. J.	18609	Nov. 11, 1890
Kris Kringle	N. K. Fairbank & Co., Chi., Ill.	15849	Sep. 11, 1888
Kurica	Bernard & Co., Beverly, Mass.	12665	Oct. 20, 1885
Kyana	Wm. Waltke & Co., St. Louis, Mo.	14454	May 24, 1887
<b>L</b>			
La Baronesse	Müllhens & Kropff, New York, N. Y.	36707	July 9, 1901
La Bonne Mere	Veuve Charles Morel, Marseilles, France.	31535	May 10, 1898
Lace	Colgate & Co., N. Y. City.	12726	Nov. 3, 1885
Lady Grey	Nonantum Worsted Co., Newton, Mass.	17878	May 6, 1890
Lake-Side	N. K. Fairbank & Co., Chi., Ill.	11567	Oct. 14, 1884
Lana Oil	Graham Bros. & Co. Chicago, Ill.	25429	Oct. 30, 1894
Lanoline	Bemis Jaffe and Darmstaedter, Charlottenberg, Ger.	13527	July 27, 1886

Word.	Name and Residence.	No.	Date of Registration.
La Paloma	Los Angeles Soap Co., Los Angeles, Cal.	35741	Jan. 8, 1901
La Parisienne	Mülhens & Kropff, N. Y. City.	19605	May 26, 1891
La Tosca	Enterprise Soap works, Nashville, Tenn.	20433	Dec. 1, 1891
Lapwing	A. Grissert, Phila., Pa.	36456	May 21, 1901
Laundry	Buffalo Soap Co., Buffalo, N. Y.	1651	March 3, 1874
Lavine	A. B. Gillett, Hartford, Conn.	8977	Jan. 3, 1882
Lavolite	J. S. Kirk & Co., Chicago, Ill.	12579	Sep. 15, 1885
Leader	Kendall Mfg. Co., Providence, R. I.	29911	April 27, 1897
Leanique	Roger & Gallet, Paris, France.	35570	Dec. 11, 1900
Lehigh	J. S. Kirk & Co., Chicago, Ill.	12571	Sep. 15, 1885
Lemon Juice	Lida Wilbert, Chicago, Ill.	22020	Nov. 27, 1892
Lenox	Proctor & Gamble, Cinn., O.	11959	Feb. 17, 1885
Lenox	Proctor & Gamble, Cinn.	16249	Feb. 5 1889
Liberty	Robinson Bros. & Co., Boston, Mass. (Above Mark in Interference in 1894 and decided adverse to Robinson Bros. & Co.)	22364	Jan. 24, 1893
Liberty	The Torrey and Bently Co., Boston, Mass.	24495	April 10, 1894
Lifebuoy	Lever Bros. (Ltd.), Port Sunlight, England.	25905	Jan. 22, 1895
Lifebuoy, etc.	Lever Bros. (Ltd.), Port Sunlight, England.	25906	"
Lighthouse	Armour & Co., Chicago, Ill	31461	April 12, 1898
Lilac Sweets	Solon Palmer, New York, N. Y.	19721	June 16, 1891
Lincoln	W. Dreydoppel, Phila., Pa.	5717	March 12, 1878
Monument			
Linden Bloom	Chas. E. Foote and Chas. C. Jackson, Mich.	13178	April 13, 1886
Linen	G. A. Risley, Chicago, Ill.	5227	Oct. 16, 1877
Linen	Oberne, Hosick & Co., Chi., Ill.	14030	Feb. 1, 1887
Lion of the Day	J. O. Draper & Co., Pawtucket, R. I.	1390	July 29, 1873
Liquid	E. L. Post, N. Y. City.	9316	April 25, 1882
Listerol Germicidal Soap	A. F. Wooster, Norwalk, Ohio.	36457	May 21, 1901
Little Giant	Merrill F. Delnow, Lynn, Mass.	21923	Nov. 1, 1892
Lone Star	Wm. C. Lamm, Palestine, Texas.	14279	April 12, 1887
Look Out	Chr. Lipps, Balto., Md.	7437	June 24, 1879
Look	"	7624	Aug. 26, "
Look Out	"	8704	Oct. 4, 1881
Look	"	8703	"
Lotus	Robinson & Co., Boston, Mass.	9170	March 7, 1882
Loyal	Allison Bros., Middletown, Conn.	7372	May 27, 1879
Lux	Lever Bros. (Ltd.), Port Sunlight, England.	35228	Oct. 9, 1900
Luxury	The J. B. Williams Co., Glastonbury, Conn.	24295	March 6, 1894

**M**

Word.	Name and Residence.	No.	Date of Registration.
M. & L.	R. W. Bell M'fg. Co., Buffalo, N. Y.	13363	June 1, 1886
Madame May's	Mme. May & Co., Boston, Mass.	21210	" 31, 1892
Magic	J. Biechele, Canton, O.	12057	March 31, 1885
Magicwasher	Iowa Soap Co., Burlington, Iowa.	25589	Dec. 4, 1894
Magic White Soap	Crescent Soap Works, New Orleans, La.	25936	Jan. 29, 1895
Magical	Wm. Gossage & Sons, Liverpool, England.	22201	Dec. 20, 1892
Magnetic	McCullough Soap Co., Milwaukee, Wis.	8381	June 21, 1881
Magnetic Shaving	Howard & Brewster, Unadilla, N. Y.	4649	May 15, 1877
Magnolia	Empire Soap Co., St. Louis, Mo.	12180	April 28, 1885
Maize Flour	McKeone, Van Haegen & Co., Phila., Penn.	3561	April 4, 1876
Ma-Le-Na	Chauncey F. York, Warrior's Mark, Pa.	34989	July 24, 1900
Maltese	J. Oakley, New York, N. Y.	2587	May 25, 1875
Blue Mottled			
Marigold	J. C. Boldast, Amsterdam, Holland.	35937	Nov. 13, 1900
Marquise	Mülhens & Kropff, N. Y. City.	22063	Nov. 29, 1892
Marseilles	Lautz Bros. & Co., Buffalo, N. Y.	6960	Jan. 21, 1879
Marseilles	Jos. Beichele Soap Co., Canton, O.	21363	June 28, 1892
Cochin Castile			
Marvel	H. V. Raymond, Brooklyn, N. Y.	5666	Feb. 19, 1878
Mascot	N. K. Fairbank & Co., Chi., Ill.	13287	May 11, 1886
Master	Lautz Bros. & Co., Buffalo, N. Y.	3314	Jan. 4, 1876
Master	Lautz Bros. & Co., Buffalo, N. Y.	8466	July 12, 1881
Matsukita	Wm. Starks Thomson, London, England.	25428	Oct. 30, 1894
May Bell	Lautz Bros. & Co., Buffalo, N. Y.	12939	Jan. 12, 1886
Maypole	J. E. Gilloy, Brussels, Belgium.	28654	July 21, 1896
Maypole	Maypole Soap Syndicate, London, England.	29517	Jan. 26, 1897
Mechanic	J. S. Kirk & Co., Chicago, Ill.	11178	May 13, 1884
Mermaid Queen	Los Angeles Soap Co., Los Angeles, Cal.	27965	Mar. 17, 1896
Merit	C. E. Marsh & Co., Lynn, Mass.	25937	Jan. 29, 1895
Mildest and most Powerful	Wm. H. McMullin, Houston, Texas.	23396	July 25, 1893
Miners	Gowan's & Co., Buffalo, N. Y.	4203	Dec. 12, 1876
Mirabilia	Geo. W. Stringer, Detroit, Mich.	36386	May 7, 1901
Miracle	Weaver Bros. & Mott Co., Balt., Md.	34749	June 5, 1900
Moccasin	Foley Bros. & Kelly Co., St. Paul Minn.	34025	Jan. 9, 1900
Monad	Colgate & Co., New York, N. Y.	36560	June 11, 1901
Money Order	Thos. Armstrong, Balto., Md.	27283	Nov. 19, 1895
Money Saving	H. E. Berger, Brooklyn, N. Y.	5260	Oct. 23, 1877

Word.	Name and Residence.	No.	Date of Registration.
Monitor	F. Trenkamp, Milwaukee, Wis.	6751	Oct. 22, 1878
Monk	Benj. Brooke & Co., Phila., Pa.	26034	Feb. 12, 1895
Monkey Brand	"	16634	May 28, 1889
Mono	S. W. Bell & Co., Toledo, O.	7874	April 13, 1880
Monumental	C. C. Habliston, Balto., Md. J. Taylor, Rochester, N. Y. Frank G. Burke, New York, N.Y. Wabash Soap & Chemical Co., Wabash, Ind. Proctor & Gamble, Cinn., O.	3852	July 18, 1876
Bouquet		12806	Nov. 24, 1885
Morse's Mottled		28041	Mar. 31, 1896
Mosquito		24187	Feb. 6, 1894
Motlier Goose		3251	Dec. 14, 1875
Mottled German	"	9843	Nov. 28, 1882
Mottled German	"	9849	"
Mottled German	"	11961	Feb. 17, 1885
Mottled German	"	15779	Aug. 14, 1888
Mottled German	"	"	"
Red Bar	"	5156	Sep. 18, 1877
Mug	J. B. Williams & Co., Glastonbury, Conn.	8120	Dec. 14, 1880
Mug	J. B. Williams & Co., Glastonbury, Conn.	9062	Jan. 31, 1882
Multiflora	Colgate & Co., N. Y. City.	1919	Aug. 4, 1874
Myncea	Frank G. Burke, N. Y. City.	25690	Dec. 18, 1894
Mystic White	Gowans & Stover, Buffalo, N. Y.	14156	March 8, 1887
My Tar Soap	Bailey Soap Co., Dayton, Ohio.	27967	March 17, 1896
<b>N</b>			
Nada	Ladd & Coffin, N. Y. City.	21437	July 12, 1892
Napkin	Lautz Bros. & Co., Buffalo, N.Y.	9700	Sep. 26, 1882
Napthoil	Geo. E. Marsh & Co., Lynn, Mass.	33402	Aug. 22, 1899
National	J. Armstrong & Co., Balto., Md.	11562	Oct. 14, 1884
National Bouquet	McKeone, Van Haagen & Co., Phila., Pa.	3560	April 4, 1876
Never Sink	A. C. McLean, Allegheny, Pa.	13585	Aug. 17, 1886
New Century	White & Bagley Co., Worcester, Mass.	34798	Jan. 19, 1900
New England's	Lautz Bros. & Co., Buffalo, N.Y. Wm. A. Grant, West Orange, N. J. Colgate & Co., N. Y. City. Omer, Tousey & Co., Indianapolis, Ind. C. S. Higgins, Brooklyn, N. Y.	12938	Jan. 12, 1886
Best		30763	Oct. 26, 1897
New Era Solvent		7065	March 4, 1879
New Soap		4253	April 3, 1877
New Wrinkle		7834	Feb. 24, 1880
N. G.	James Butler, New York, N. Y.	32940	May 23, 1897
Nickel	Warren Hill, Boston, Mass.	14385	May 17, 1887
Nile Lily	B. T. Babbitt, N. Y. City.	5857	April 16, 1878
Ninety-nine	Union Soap Co., Baltimore, Md.	29180	Nov. 17, 1896
Noah's Ark	H. Kohnstamm & Co., N.Y. City.	22618	March 7, 1893
Nonpareil	Proctor & Gamble, Cinn., O.	17803	April 22, 1890
Norway	"	17808	"
Norway Soap	"	"	"

Word.	Name and Residence.	No.	Date of Registration.
Nosegay	Robinson Bros. & Co., Boston, Mass.	2821	Aug. 10, 1875
Novelty	C. S. Higgins, Brooklyn, N. Y.	7328	May 20, 1879
Nox	Millard F. Smith, Cleveland, O.	22064	Nov. 29, 1892
Nugget	Benj. Brooke & Co., Phila., Pa.	21676	Aug. 23, 1892
Nursery Cream	J. B. Williams Co., Glastonbury, Conn.	29865	April 20, 1897
O			
Oak	Wm. H. Galbraith, Phila., Pa.	17566	Feb. 18, 1890
Oak Leaf	Gowans & Stover, Buffalo, N. Y.	14157	March 8, 1877
Oat Meal	Robinson Bros. & Co., Boston, Mass.	2664	June 8, 1875
Ocean	C. F. Ropitzsch & Son, Pottsville, Pa.	4692	May 29, 1877
Oh Cake	Harry K. Buck, Phila., Pa.	18072	June 24, 1890
O Cake	" "	18074	" "
O-hi-O	Curtis, Davis & Co., Cambridge, Mass.	13817	Nov. 23, 1886
Old Commander	Empire Soap Co., St. Louis, Mo.	15049	Feb. 23, 1886
Old Country	Allen B. Wrisley Co., Chicago, Ill.	29285	Dec 8 1896
Old Davis	Jas. C. Davis & Son, Boston, Mass.	15253	March 6, 1888
Old English	Proctor & Gamble, Cinn., O.	9888	Dec. 19, 1892
Old English	" "	11932	Feb. 10, 1885
Old German Family	Oberne. Hosick & Co., Chi., Ill. F. L. Falck & Co., Pittsburg, Pa. B. A. Lynde & Son Co., Warren, Pa.	12431	July 21, 1885
Old Honesty		28094	April 7, 1896
Old Standby		17802	April 22, 1890
Old Time	Proctor & Gamble, Cinn., O.	9887	Dec. 19, 1882
Old Time	N. K. Fairbank & Co., Chi., Ill.	19989	Aug. 4, 1891
Old Wilton	Proctor & Gamble, Cinn., O.	17855	May 6, 1890
Old Wilton, etc.	" "	17879	" "
Oleine	W. Conway, Phila., Pa.	1864	July 7, 1874
Oleine Niedts	Davis Bros. & Co., Trenton, N. J.	10207	April 24, 1883
Oleine Oxide	Proctor & Gamble, Cinn., O.	15755	Aug. 7, 1888
Oleine Oxide Green Bar	" "	5157	Sept. 18, 1877
Olivena	V. L. Tenney, New York, N. Y.	30760	Oct. 26, 1897
Olusa	Louis Lurie, New York, N. Y.	36418	May 14, 1901
One Darr	Jno. Reardon & Sons, Boston, Mass.	16091	Dec. 11, 1888
Oowana	J. A. Moninger, Kansas City, Mo.	36706	July 9 1901
Orient	Globe Chemical Co., Cleveland, O.	22847	April 18, 1893
Oriental	Reliance Mfg. Co., N. Y. City.	22551	Feb. 28, 1893
Oriole	C. Lipps, Balto., Md.	8793	Nov. 1, 1881
Oriole	G. F. Whitney, Boston, Mass.	12055	March 24, 1885
Our Forefathers' One Foot	Ecker & Co., Phila. Pa.	6160	May 28, 1878
Our President's	W. A. Marsh, Cinn., O.	7448	July 1, 1879

Word.	Name and Residence.	No.	Date of Registration.
Our Union	J. S. Kirk & Co., Chicago, Ill.	11238	June 10, 1884
Out	C. Lipps, Balto., Md.	7623	Aug. 26, 1879
Out	" "	8705	Oct. 4, 1881
Ox Marrow	Lautz Bros. & Co., Buffalo, N. Y.	4391	Feb. 20, 1877
Ox Marrow	" "	8630	Sep. 6, 1881
Ozone	Fairchild & Shelton, Bridgeport, Conn.	5469	Jan. 1, 1878
<b>P</b>			
Palace	Union Soap Co., Balto., Md.	14077	Feb. 15, 1887
Palma	Lautz Bros. & Co., Buffalo, N. Y.	8572	Aug. 16, 1881
Pale. Extra No. 1	} C. Curtis & Co., Port Au Prince, Hayti.	1462	Sep. 23, 1873
Palmitin		10403	July 10, 1883
Palmole	C. Lipps, Balto., Md.		
	David W. Stallings, Wichita, Kans.	20279	Oct. 27, 1891
Pan Electric	} The Ford Acme Renovator Co., Balto., Md.	13142	March 30, 1886
C. C. C.		22062	Nov. 29, 1892
Parzival	Wm. Rieger, Frankfort-on-the Main, Germany.	31008	Dec. 21, 1897
Parson's	Edwin M. Fowle, Boston, Mass.		
Peach Blossom	S. F. McBride and A. D. Williamson, Chicago, Ill.	12364	June 30, 1885
Pedeline	Fred'k Round, Southport, Eng.	14786	Sep. 27, 1887
Peek-A-Boo	Prouty-Bowler Soap Co., Des Moines, Ia.	27713	Jan. 28, 1896
Peerless, The American	} C. Davis, Cambridgeport, Mass.	669	Feb. 27, 1872
Peerless, The American		8361	June 14, 1881
Perfect	C. Davis & Co., Boston, Mass.	9879	Dec. 19, 1882
Perfect	" "	11922	Feb. 10, 1885
Perfumerie Vera Violetta	} Roger & Gallet, Paris, France.	22440	Feb. 7, 1884
People's Choice		7521	July 22, 1879
Persian	J. H. Friday, Pittsburg, Pa.		
	Busby & Bickley Co. (Ltd.), Phila., Pa.	24421	March 27, 1894
Peruvian	C. Pauly, Jersey City, N. J.	6738	Oct. 22, 1878
Petro	Petrolia Mfg. Co., New York, N. Y.	29582	Feb. 23, 1897
Petrolene	Rice & Robinson Soap Co., Titusville, Pa.	22550	Feb. 28, 1893
Petro-Oleum	Petrolia Mfg. Co., New York, N. Y.	29583	Feb. 23, 1897
Petrolia	A. H. Martin, New York, N. Y.	28770	Aug. 18, 1896
Petro-Olive	Petrolia Mfg. Co., New York, N. Y.	29581	Feb. 23, 1897
Phoenix	F. Sahlfeld & Co., Balto., Md.	2811	Aug. 3, 1875
Picnic	N. K. Fairbank & Co., Chi., Ill.	13582	Aug. 17, 1886
Pimlico	J. S. Kirk & Co., Chicago, Ill.	13664	Sep. 14, 1886

Word.	Name and Residence.	No.	Date of Registration.
Pine Needle	The Gardner Pine Needle Extract Co., Sharon Springs, N. Y.	12404	July 14, 1885
Pinoex	Chas A. Martin, Clarksville, Texas.	34713	May 29, 1900
Pioneer	J. A. Myer, Brooklyn, N. Y.	5456	Dec. 25, 1877
Planet	J. S. Kirk & Co., Chicago, Ill.	12589	Sep. 22, 1885
Plantation	J. S. & T. Elkinton, Phila., Pa.	6029	May 7, 1878
Plantation	Empire Soap Co., St. Louis, Mo.	12181	April 28, 1885
Plucky	G. E. Marsh & Co., Lynn, Mass.	10711	Nov. 13, 1883
Plymouth Rock	N. K. Fairbank & Co., Chi., Ill.	11414	Aug. 12, 1884
Pocket	J. B. Williams & Co., Glastonbury, Conn.	1186	March 25, 1873
Pocket	J. B. Williams & Co., Glastonbury, Conn	9130	Feb. 21, 1882
Polo	Proctor & Gamble, Cinn., O.	17657	March 11, 1890
Polo, etc., etc.	" "	17658	" "
Popular	Colgate & Co., N. Y. City.	10014	Feb. 6, 1883
Post Boy	J. S. Kirk & Co., Chicago, Ill.	12568	Sep. 15, 1885
Potash or Lye	L. Graff, New York, N. Y.	4757	June 19, 1877
Pound Bleacher	Day & Frick, Phila., Pa.	3468	Feb. 29, 1876
Pound Bleacher	" "	5293	Nov. 6, 1877
Pound Bleacher	" "	5403	Dec. 11, 1877
Premium	C. Lipps, Balto., Md.	2346	April 6, 1875
Premium	" "	9374	May 16, 1872
President	Jos. Crosfield & Sons, Warrington, Eng.	16913	Aug. 13, 1889
Pride of America	J. H. Marsh & Co., Lynn, Mass.	9404	May 23, 1882
Pride of the Kitchen	W. L. Troxel, Brooklyn, N. Y.	1487	Oct. 7, 1873
Pride of the Laundry	Butler & Hannum Bros., Zanesville, O.	19745	June 23, 1891
Primrose	Leberman & Co., Phila., Pa.	189	Nov. 8, 1870
Princess Olive	Proctor & Gamble, Cinn., O.	9890	Dec. 19, 1882
Priscilla	F. J. Underwood, Hartford, Conn.	31940	Sep. 6, 1898
Prize, David's	D. S. Brown & Co., N. Y. City.	3582	April 18, 1876
Prize	Goetzmann & Son, Rochester, N. Y.	6314	July 2, 1878
Protection	W. E. Robinson, Malden, Mass.	31118	Jan. 11, 1898
Prudential	N. K. Fairbank & Co., Chi., Ill.	32090	Oct. 25, 1898
P. S. C.	Leberman & Co., Phila., Pa.	185	March 7, 1871
Pumiline	G. & G. Stern, London, Eng.	17557	Feb. 18, 1890
Purefoam	J. T. Robertson Co., Manchester, Conn.	35114	Sep. 18, 1900
Pure Palm	E. S. Morris & Co., Phila., Pa.	3127	Nov. 9, 1875
Puritan	L & J. Oakley, Newburg, N. Y.	11861	Jan. 13, 1885
Puritene	R. J. Paine, Mansfield, Mass.	9559	July 18, 1882
Pure Sure Hope	J. C. Johnson & Co., Memphis, Tenn.	13535	Aug. 3, 1886
	<b>Q</b>		
Quaker	C. E. Willets, Chicago, Ill.	305	May 30, 1871



Word.	Name and Residence.	No.	Date of Registration.
Quaker City	J. Eavenson & Sons, Phila., Pa.	1586	Dec. 23, 1873
Quakeress	C. E. Willetts, Chicago, Ill.	1886	July 21, 1874
Queen	J. Oakley & Co., Newburg, N. Y.	1291	May 23, 1873
Queen	L. & J. Oakley, Newburg, N. Y.	12547	Sep. 1, 1885
Queen Olive	Proctor & Gamble, Cinn., O.	9881	Dec. 19, 1882
Queen Olive, etc.	" "	11935	Feb. 10, 1885
Quince	The Quince Co., Boston, Mass.	28019	March 24, 1896
<b>R</b>			
Rabbit Foot	N. K. Fairbank & Co., Chi., Ill.	12464	Aug. 4, 1885
Racket	Jas. Armstrong & Co., Balt., Md.	19671	June 9, 1891
Rail Road	Gowans & Co., Buffalo, N. Y.	4554	April 17, 1877
Rainbow (for cleansing and dyeing soap)	The Maypole Co., (Ltd.), London, Eng.	30762	Oct. 26, 1897
Rainbow (for laundry soap)			
Ramona	N. K. Fairbank Co., Chi., Ill.	35031	Oct. 23, 1900
	Los Angeles Soap Co., Los Angeles, Cal.	35740	Jan. 8, 1901
Rapid Transit	Colgate & Co., N. Y. City.	7468	July 1, 1879
Red Cross	J. Reardon & Sons, Boston, Mass.	13076	March 2, 1886
Red Oil	J. Eavenson & Sons, Phila., Pa.	6207	June 11, 1878
Red Paper	J. S. & T. Elkinton, Phila., Pa.	1160	March 11, 1873
Red Robin	Allen Conkling, Chicago, Ill.	36174	April 2, 1901
Red Ribbon	Proctor & Gamble, Cinn., O.	17552	Feb. 18, 1890
Red Tape	" "	17804	April 22, 1890
Red Tape, etc.	" "	17856	May 6, 1890
Red, White and Blue. National Colors	W. Dreydoppel, Phila., Pa.	4436	March 13, 1877
Reducine	Max Rink, New York, N. Y.	33332	Aug. 8, 1899
Relief	Lincoln & Holbrook, Boston, Mass.	5125	Sep. 4, 1877
Reuter's Healing Soap	Geo. C. Barclay, Brooklyn, N. Y.	30043	May 18, 1897
Revenue			
Rice Flour, No. 54	J. S. Kirk & Co., Chicago, Ill.	11186	May 13, 1884
	Robinson Bros. & Co., Boston, Mass.	2742	July 13, 1875
Rising Sun	Chas. F. Miller, Lancaster, Pa.	14057	Feb. 8, 1887
River Side	Belknap & McCann, Newburg, N. Y.	16592	May 21, 1889
Riviera Castile	Mülhens & Kropff, N. Y. City.	26285	March 26, 1895
Roetta	Tonawanda Tripoli Co., Tonawanda, N. Y.	26949	Aug. 13, 1895
Roll Soap	Wm. W. Wagner, McKeesport, Pa.	18477	Sep. 30, 1890
Rose Water and Glycerine	Oakley Soap and Perf. Co., New York City.	22022	Nov. 22, 1892
Rosodora	Colgate & Co., New York City.	1920	Aug. 4, 1874
Royal	Thomas Ross, Columbus, Ohio.	32192	Nov. 29, 1898
Royaline	Jno. N. Silver, N. Y. City.	22102	Dec. 13, 1892
Royal Olive	R. M. Bishop & Co., Cinn., O.	2517	May 18, 1875

Word.	Name and Residence.	No.	Date of Registration.
R. S. (Monogram)	Rock Soap Co., San Buenaventura, Cal.	3504	March 7, 1876
R. T. G. & Co.	Marx & Rawolle, N. Y. City.	364	July 4, 1871
Rubnot	David McMeekan, New York, N. Y.	32367	Jan. 10, 1899
Ruby	Busby & Bickley Co. (Ltd.), Phila., Pa.	24422	March 27, 1894
Russian	D. S. Brown & Co., N. Y. City.	6798	Nov. 12, 1878
Russian	J. S. Kirk & Co., Chicago, Ill.	12067	May 31, 1885
<b>S</b>			
S. (Letter)	Alex Warfield, Phila., Pa.	59	Nov. 8, 1870
Sabao Imperial	Rutherford & Barnes, Brk'n, N. Y.	15757	Aug. 17, 1888
Brazileiro		15756	Aug. 7, 1888
Sabao Progresso		13443	June 22, 1886
Sabao Sanitario			
Sacosa	Coffin, Reddington & Co., N. Y. City.	15292	March 20, 1888
Sailor	August W. Stadler, Cleveland, O.	29866	April 20, 1897
St. Nicholas	N. K. Fairbank & Co., Chi., Ill.	14366	April 26, 1887
Saint Patrick	Schultz & Co., Zanesville, O.	2923	Sep. 7, 1875
Salicylic	H. T. Munson, Washington, D. C.	2567	May 18, 1875
Salt City	H. Finn & Sons, Syracuse, N. Y.	15729	July 31, 1888
Sanatine	J. H. Farr & Co., Toronto, Can.	31915	Aug. 30, 1898
Sandaline	Colgate & Co., New York, N. Y.	2020	Oct. 13, 1874
Santa Claus	N. K. Fairbank & Co., Chi., Ill.	13495	July 13, 1886
Santa Woolen	Wm. H. Bryan, Baltimore, Md.	29021	Oct. 20, 1896
Saphia	J. T. Schwachofee, Hunters Point, N. Y.	4979	July 31, 1877
Sapho	Whittier, Coburn Co., San Francisco, Cal.	35085	Sep. 18, 1900
Sapodermin	C. Bischoff & Co., New York, N. Y.	32670	April 4, 1899
Sapone	Thomas Hersom, New Bedford, Mass.	17076	Oct. 1, 1899
Sapotoxin	Sapotoxin Mfg. Co., Chicago, Ill.	32898	May 16, 1899
Satin	Shaker Soap Co., Columbus, O.	17497	Feb. 4, 1890
Satin-Skin	Sylvan Toilet Co., Port Huron, Mich.	21618	Aug. 16, 1892
Satin Skin	Sylvan Toilet Co., Detroit, Mich.	24186	Feb. 6, 1894
Satinet	J. S. Kirk & Co., Chicago, Ill.	5987	April 30, 1878
Savon Imperial	" "	3048	Oct. 19, 1875
Savon D'Haiti	Jimenes, Haustedt & Co., N. Y. City.	18175	July 15, 1890
Savon Marseille	D. De Reuffia & Co., Marseilles, France.	5240	Oct. 16, 1877
Savon Surfin.	Vail Bros., Phila., Pa.	26668	June 11, 1895
Rouche Fils et Cie Paris			
Savonia	Minnesota Soap Co., St. Paul, Minn.	29867	April 20, 1897

Word.	Name and Residence.	No.	Date of Registration.
Schoenhal's	Cincinnati Soap Co., Cinn., O.	21832	Oct. 4, 1892
Renaissance }	R. W. Bell & Co., Buffalo, N. Y.	3460	Feb. 29, 1876
Schwartzwaelder	Schultz & Co., Zanesville, O.	4242	Dec. 26, 1876
Scotch	M. Strong, N. Y. City.	11757	Dec. 9, 1884
Scourene	C. O. Strutz, Chicago, Ill.	32303	Dec. 27, 1898
Scrubine	Neidt & Co., Trenton, N. J.	8794	Nov. 1, 1881
Sea Foam	I. W. Swalley, Erie, Pa.	1060	Nov. 12, 1872
Sea Foam	Globe Chemical Co., Cleveland, O.	24680	May 8, 1894
Seal	Robt. L. Hall, Detroit, Mich.	33665	Oct. 31, 1899
Search-Light	R. H. McDonald Drug Co., N. Y. City	15543	May 29, 1888
Sea-Salt	J. S. Kirk & Co., Chicago, Ill.	12570	Sep 15, 1885
Select	Lever Bros., Warrington, Eng.	13624	Aug. 31, 1886
Self-Washer	Chas. F. Greenburg, Scranton, Pa.	29336	Dec. 22, 1896
Self-Washo	T. Curran, Newark, N. J.	4818	July 3, 1877
S. F. and Anchor	Fred'k Myer, Lafayette, Ind.	27008	Aug. 27, 1895
Shamrock	Jas. F. Morse & Co., Boston, Mass.	14115	March 1, 1887
Shawmut	Royal Soap Co., Winnipeg, Canada.	32634	March 28, 1899
Shynol	East River Chem. Works, L. I. City, N. Y.	25872	Jan. 15, 1895
Silexo	Thomas Ross, Columbus, O.	18271	Aug. 5, 1890
Silk	Empire Soap Co., St. Louis, Mo.	12179	April 28, 1885
Silver	Oberne, Hosick & Co., Chi., Ill.	14170	March 15, 1887
Silver Brick	N. K. Fairbank & Co. "	17866	May 6, 1890
Silver Cloud	Emanuel E. Fox, N. Y. City.	24150	Jan. 30, 1894
Silver King	Robinson Bros. & Co., Boston, Mass.	4388	Feb. 20, 1877
Silver Line	D. S. Brown & Co., N. Y. City,	6549	Sep. 3, 1878
Silver Prize	Wm. M. Marcus, Talladega, Ala.	23271	June 27, 1893
Silver Star	Geo. A. Pfaffman, Cleveland, O.	24068	Jan. 16, 1894
Silver Star	The Granulated Soap Co., Newark, N. J.	7690	Sep 16, 1879
Silverine	Proctor & Gamble, Cinn., O.	9876	Dec. 19, 1882
Simon Pure	Lautz Bros., & Co., Buffalo, N. Y.	23947	Dec. 26, 1893
Snow-Boy	Farrington, Campbell & Co., Detroit, Mich.	3210	Dec. 7, 1875
Snow Flake	A. M. Ross & Co., Boston, Mass.	12223	May 5, 1885
Soaperior	J. K. Keller, New Orleans, La.	4526	April 10, 1877
Soapina	Jno Loughrey, Cambridge, Mass	12560	Sep. 8, 1885
Soaplets	Robt. F. S. Heath, Camden, N. J.	16605	May 21, 1889
Society Soap	B. T. Babbett, N. Y. City.	1528	Nov. 18, 1873
Soft Soap Powder	N. K. Fairbank Co., Chicago, Ill.	35693	Jan. 1, 1901
Soleil	Henry Koeber Co., Cincinnati, Ohio.	34152	Feb. 6, 1899
Sorosis	Souven'r Mfg., Co., Providence, R. I	21058	April 26, 1892
Souvenit	Wm. Henry Hall, N. Y. City.	21812	Oct. 4, 1892
Sozoderma	Ayres Toilet Soap Co., Jersey City, N. J.	25210	Sep. 4, 1894
S. P. C.			

Word.	Name and Residence.	No.	Date of Registration.
Spray	Lautz Bros. & Co., Buffalo, N. Y.	12950	Jan. 12, 1886
Stag Olive	J. Armstrong & Co., Balto, Md.	12701	Oct. 27, 1885
Star	J. K. Hogg, Frederick, Md.	9	Oct. 25, 1870
Starch	Lautz Bros. & Co., Buffalo, N. Y.	10273	May 15, 1883
Star of the Kitchen	Newall & Bro., San Francisco, Cal.	14937	Nov. 15, 1887
Starlight (toilet)	Lever Bros. (Ltd.), Port Sunlight, Eng.	33773	Nov. 21, 1899
Starlight (laundry)	Lever Bros. (Ltd.), Port Sunlight, Eng.	33774	"
Steam Boat	J. H. Wilson, Pittsburg, Pa.	7176	April 8, 1879
Stocking	C. L. Jones & Co., Boston, Mass.	11592	Oct. 28, 1884
Stryker's Kitchen Soap	Newall & Bro., San Francisco, Cal.	28018	March 24, 1896
Sudorine	D. J. Doherty, Chicago, Ill.	34750	June 5, 1900
Sulpho Saline	Excelsior Springs Co., Kansas City, Mo.	19567	May 26, 1891
Sulphur Glenn Sun	C. N. Crittenton, N. Y. City.	2815	Aug. 10, 1875
	McKeone, Van Haagen & Co., Phila., Pa.	3501	March 7, 1876
Sunbright	Simon Greenbaum, Chicago, Ill.	17852	May 6, 1890
Sunlight	Lever Bros., Warrington, Eng.	14441	May 24, 1887
Sun ight	Lever Bros. (Ltd.), Port Sunlight, Eng.	19423	May 5, 1891
Sunolio	Kendall Mfg. Co., Providence, R. I.	20649	Jan. 26, 1892
Sunoria	Kendall Mfg. Co., Providence, R. I.	29941	May 4, 1897
Sunshine	Lever Bros., Warrington, Eng.	16313	Feb. 26, 1889
Sunbeam	" "	16314	"
Sunshine, etc.	" "	16315	"
Sunbeam, etc.	" "	16316	"
Swan (toilet)	Lever Bros. (Ltd.), Port Sunlight, Eng.	33944	Dec. 26, 1899
Swan (laundry)	Lever Bros., (Ltd.), Port Sunlight, Eng.	33152	June 27, 1899
Sweetheart	H. C. Davis, Jr. & Co., Norfolk, Va.	21493	July 19, 1892
Sweet Maiden	Enterprise Soap Works, Nashville, Tenn.	33632	Oct. 24, 1899
Sweet 16	Oberne, Hosick & Co., Chi., Ill.	12354	June 30, 1885
Swiss Violet	The J. B. Williams Co., Glastonbury, Conn.	24446	April 3, 1894
<b>T</b>			
Takanap	Thayer-Milne Co., Phila., Pa.	35033	Sep. 18, 1900
T. & B.	The Torrey & Bentley Co., Boston, Mass.	24151	Jan. 30, 1894
Tea cloth	The Summit City Soap Co., Fort Wayne, Ind.	10276	May 15, 1883

Word.	Name and Residence.	No.	Date of Registration.
Telephone	C. McKeone, Son & Co., Phila., Pa	6200	June 11, 1878
The Empress	Holbrook & Merril, Boston, Mass.	135	Jan. 17, 1871
The Four Hundred }	Ulrich W. Becker, Stapleton, N. Y.	18133	July 8, 1890
The Housewife's Friend }	Wm. Gossage & Sons, Liverpool, Eng.	22202	Dec. 20, 1892
The Mikado Soap }	Newall & Bros., San Francisco, Cal.	26515	May 7, 1895
The Pride of America }	G. E. Marsh & Co., Lynn, Mass.	9404	May 23, 1882
The Right Sort	Wm. Gossage & Sons, Lv'po'l, Eng	21919	Nov. 1, 1892
The Right Sort, etc	" " "	21920	" "
The White Grecian	Gallup & Hewitt, Norwich, Ct.	7036	Feb. 18, 1879
Thiosot	Hermann & Co., Hamburg, Germany.	36215	April 9, 1901
Thistle Brand	United Alkali Co. (Ltd.), Liverpool, Eng.	22942	May 2, 1893
Tidy	Geo. W. Norton, Somerville, Mass.	25329	Oct. 9, 1894
Tiger	R. M. Bishop & Co., Cinn., O.	1565	Dec. 9, 1873
Tin Pan	Colgate & Co., N. Y. City.	17794	April 22, 1890
Tin Tag	Empire Soap Co., St. Louis, Mo.	12995	Feb. 2, 1886
Tin Tag	" " "	13747	Oct. 19, 1886
Tip Top	R. H. Meagley, Binghamton, N. Y.	2962	Sep. 21, 1875
Tip Top	" " "	3699	May 23, 1876
Tirsus Oil	Ichthyol Gesellschaft Cordes Hermann & Co., Hamburg, Ger.	14875	Nov. 1, 1887
Tokalon	Sam'l D., Chas W. and Robt. B. Robinson, Pittsburg, Pa.	20165	Sep. 22, 1891
Tom, Dick and Harry }	N. K. Fairbank & Co., Chi., Ill.	14001	Jan. 25, 1887
Tonka-Talpa }	Henry C. Stewart, Cinn, O.	21546	Aug. 2, 1892
Topaz	Proctor & Gamble, Cinn., O.	9889	Dec. 19, 1882
Towel	Lautz Bros. & Co., Buffalo, N. Y.	9608	Aug. 15, 1882
Town Talk	Proctor & Gamble, Cinn., O.	6852	Nov. 26, 1878
Town Talk	" " "	9826	Nov. 21, 1882
Town Talk, &c., &c	" " "	11933	Feb. 10, 1885
T. R.	T. Ricksecker, N. Y. City.	5425	Dec. 11, 1877
Transmission	Strunz & Wetzel, Pittsburg, Pa.	2194	Jan. 26, 1875
Traveler's Favorite	The J. B. Williams Co., Glastonbury, Conn.	24294	March 6, 1894
True Blue Tar Soap }	Pioneer Tar Soap Co., Dayton, Ohio.	27710	Jan. 28, 1896
Trump	H. C. Davis, Jr., & Co., Norfolk, Va.	20208	Oct. 13, 1891
Trusty	Curtis, Davis & Co., Cambridge, Mass.	29070	Nov. 3, 1896
Truth	B. A. Lynde & Son, Buffalo, N. Y.	16342	March 5, 1889
20 Mule Team	Pacific Coast Borax Co., San Francisco, Cal.	28719	Aug. 4, 1896
Twin	J. Oakley & Co., N. Y. City.	8094	Nov. 16, 1880
Twin	L. and J. Oakley, Newburg, N. Y.	12234	May 12, 1885
Tryphena	F. C. Fowler, Moodus, Conn.	34422	April 3, 1900

**U**

Word.	Name and Residence.	No.	Date of Registration.
U. G.	Gowans & Stover, Buffalo, N. Y.	12210	May 5, 1885
Ulika	J. G. Haas Soap Co., St Louis, Mo.	36341	April 30, 1901
United Mine Workers	Shaker Soap Co., Columbus, O. Jos. Crossfield & Sons Warrington, Eng.	18655	Nov. 25, 1890
Universal		16335	March 5, 1889
Usona	James S. Kirk & Co, Chicago, Ill.	34110	Jan. 30, 1900
Utopia	Retail Merchants Asso. of N. J., Paterson, N. J.	30569	Sep. 21, 1897
Uwanta Bath	Chas. J. Miller, Lancaster, Pa.	33420	Aug. 29, 1899

**V**

Vaska	L. and J. Oakley, Newburg, N. Y.	15140	Jan. 31, 1883
Vaterland	Schultz & Co., Zanesville, O.	4582	April 24, 1877
Vegetine	Worth Duncan, Paris, Texas.	28818	Aug. 25, 1896
Velvet	Proctor & Gamble, Cinn., O.	9884	Dec. 19, 1882
Velvet, etc.	" "	11925	Feb. 10, 1885
Velvet-Skin	Reed & Carnick, N. Y. City.	20812	March 8, 1892
Velvo-Silvo	Wm J. Anderson, New York, N. Y.	32705	April 11, 1899
Very Good	Proctor & Gamble, Cinn., O.	9882	Dec. 19, 1882
Victoria	J. S. Kirk & Co., Chicago, Ill.	5986	April 30, 1878
Victorine	A. E. Barbeau, " "	30978	Dec. 14, 1897
Vienna Weiner	Proctor & Gamble, Cinn., O.	14367	May 10, 1887
Seife			
Villa	R. W. Bell Mfg. Co., Buffalo, N. Y.	11424	Aug. 19, 1884
Vinolia	Bloudeau & Cie., London, Eng.	16443	April 2, 1889
Violet Cologne	J. S. Kirk & Co., Chicago, Ill.	12621	Oct. 6, 1885
Tablet			
Vioris	Colgate & Co., New York, N. Y.	30566	Sep. 21, 1897
Virgin	Liebman & Butler, Brooklyn, N. Y.	11094	April 15, 1884
Vittoria Rietti	J. H. Carrington, N. Y. City.	11148	April 29, 1884
Firenze			
Vulcan	" "	11119	April 22, 1884

**W**

Walnut	Empire Soap Co., St. Louis, Mo.	13048	Feb 23, 1886
Want	Strunz & Wetzel, Pittsburg, Pa.	7783	Dec. 23, 1879
Want	" "	8561	Aug. 16, 1881
Wash-A-Lone	Wash-A-Lone Soap Co., Omaha, Neb.	36924	Aug. 20, 1901
Wash and be Clean	F. M. Pleins, Dubuque, Iowa.	5136	Sep. 11, 1877
Washboard		12588	Sep. 22, 1885
Wash-tub	" "	12957	June 19, 1886
Wash well, etc.	Proctor & Gamble, Cinn., O.	11039	March 25, 1884
Wash well, etc.	" "	11931	Feb. 10, 1885

Word.	Name and Residence.	No.	Date of Registration.
Watch	Schultz & Co., Zanesville, O.	9990	Jan. 30, 1883
Water King	Water King Soap Co., Kansas City, Kan.	19144	March 3, 1891
Watermelon	Enterprise Soap Works, Nashville, Tenn.	25644	Dec. 11, 1894
Water Queen	Bowen & Cunningham, Leavenworth, Kans.	4694	June 5, 1877
Water White	Dunwoody Bros., Denver, Colo.	22470	Feb. 14, 1893
Water Witch	Proctor & Gamble, Cinn., O.	17796	April 22, 1890
Water Witch, etc.	" "	17805	" "
Wedding Ring	J. F. Humphreys & Co., Bloomington, Ill.	35478	Nov. 20, 1900
Welcome	C. Davis & Co., Boston, Mass.	5489	Jan. 8, 1878
Welcome	" "	8376	June 21, 1881
Welcome	Curtis Davis & Co., Boston, Mass.	12279	June 2, 1885
Welkin	Curtis Davis & Co., Cambridge, Mass.	29320	Dec. 15, 1896
White	Proctor & Gamble, Cinn., O.	4919	July 17, 1877
White	" "	9844	Nov. 28, 1882
White, etc.	" "	11921	Feb. 10, 1885
White Bar	W. G. Crane, Cambridge, Ill.	10610	Oct. 2, 1883
White Cap	Jas. S. Kirk & Co., Chi., Ill.	15709	July 24, 1888
White Chief	Vacuum Soap Co., Phila., Pa.	29686	March 9, 1897
White City	Jno. Biechle Soap Co., Canton, O.	24851	June 12, 1894
White Cross	The J. B. Williams Co., Glastonbury, Conn.	24296	March 6, 1894
White Daisy	The Torrey & Bentley Co., Boston, Mass.	24152	Jan. 30, 1894
White Elephant	Granite City Soap Co., Fall River, Mass.	16997	Sep. 10, 1889
White Fairy	N. K. Fairbank & Co., Chi., Ill.	12856	Dec. 15, 1885
White Grecian	} Gollup & Hewitt, Norwich, Conn.	7036	Feb. 18 1879
(The)		1058	Nov. 12, 1872
White Lily		1816	June 2, 1874
White Rose		7706	Sep. 30, 1879
White Russian		12067	May 31, 1885
White Russian	J. S. Kirk & Co., Chicago, Ill.	12950	Jan. 12, 1886
White Spray	Lautz Bros. & Co., Buffalo, N. Y.	14118	March 1, 1887
White Swan	Stallman & Fulton, N. Y. City.	12704	Oct. 27, 1885
White Wing	Colgate & Co., N. Y. City.	3371	Jan. 25, 1876
Wide Awake	B. T. Babbitt, N. Y. City.	26100	Feb. 19, 1895
Wide Awake	Estate of B. T. Babbitt, N. Y. City.	3025	Oct. 12, 1875
Windsor	The Allen Hay Co., N. Y. City.	32528	Feb. 21, 1899
Wisdom	James Tulloch, Chicago, Ill.	35477	Nov. 20, 1900
Wishbone	J. F. Humphreys & Co., Bloomington, Ill.	4122	Nov. 14, 1876
Witch-Hazel	C. J. Everett. Tenaflly, N. J.	7154	April 1, 1879
Woman's Friend	F. S. & T. M. Lincoln, Providence, R. I.	13149	March 30, 1886
Wonder	Samoset Mfg Co, Boston, Mass.	14243	April 5, 1887
Wonderful	G. A. Shoudy & Son, Rockford, Ill.		

Word.	Name and Residence.	No.	Date of Registration.
Wonder Worker	Union Soap Co , Balto., Md.	25032	July 17, 1894
Wood Ash	W. Conway, Phila., Pa.	2385	April 40, 1875
Work well	Proctor & Gamble, Cinn., O.	11041	March 25, 1884
World	Beach Soap Co., Lawrence, Mass.	21738	Sep. 13, 1892
World's Fair	N. K. Fairbank & Co., Chi., Ill.	17865	May 6, 1890
Worth its weight } in Gold }	Benj, Brooke & Co., Phila., Pa.	21671	Aug. 23, 1892
W. R.	Firm of Wichelm Rieger, Frank- fort-on-the-Main, Germany.	26539	May 14, 1895
Wrinkle Skin Soap	Samuel B. Thorp, New York, N. Y.	29414	Jan. 5, 1897
<b>X</b>			
X Rays	Frank G. Burke, New York, N. Y.	28246	May 12, 1896
XXX Borax	P. W. Hirst, Camden, N. J.	6885	Dec. 17, 1878
<b>Y</b>			
Yankee	J. B. Williams & Co., Glaston- bury, Conn.	3753	June 6, 1876
Yankee	J. B. Williams & Co., Glaston- bury, Conn.	9132	Feb. 21, 1882
Ye Old Time	Proctor & Gamble, Cinn., O.	9887	Dec. 19, 1882
Ye Old Folks	" "	11927	Feb. 10, 1885
You Dirty Boy	A. & F. Pears, Bloomsburg, Middlesex Co., Eng	9407	May 23, 1882
<b>Z</b>			
Zenithia	J S Kirk & Co., Chi , Ill.	10701	Nov. 6, 1883
Zinoline	Elizabeth M. Barthel, London, England.	35032	Sep. 18, 1900
Zodiphrient	G. C. Stevens, New York, N. Y.	36668	July 2, 1901

## ADDENDA.

Dactylis	Colgate & Co., New York, N. Y.	37499	Dec. 24, 1901
Colibri	N.K. Fairbank & Co., Chicago, Ill.	37450	Dec. 10, 1901
Wool	Swift & Co., Chicago, Ill	37359	Nov. 26, 1901
Cudoma	Cudahy Packing Co., So. Omaha, Neb	37273	Nov. 15, 1901
Becleaner	J. W. Hussey, New York, N. Y.	37228	Oct. 22, 1901
Cream of Lemon	Cream of Lemon Co., Denver, Colo., and San Diego and Los Angeles, Cal.	37130	Oct. 1, 1901
Funkia du Japon	A. Raynaud & Cie., Paris, France.	37255	Oct. 29, 1901
Kerolene	Beaumont Soap Co, Mayfield, Ky.	37421	Dec. 3, 1901
Violettes du Czar	A. Raynaud & Cie., Paris, France.	37256	Oct. 29, 1901
Oriza	" "	37257	"



# PART II

## COPYRIGHTED TRADE MARKS

### FOR

# SOAP

CLASS 61.

**Pictorial Representations and Designs Constituting the Marks Alphabetically Arranged.**

### A

Pictorial Representation of	Name and Residence.	No.	Date of Registration.
A. B. C. (Uncle Sam.) } Althea Amaranth. Picture of a Flower } American Shield	J. Biechle, Canton, O. Conrad Miller, Detroit, Mich	4686 22723	May 29, 1877 April 4, 1893
American Star Anchor, An Anchor, An	C. S. Higgins, Brooklyn, N. Y. D. A. Kendall, East Orange, N. J., and N. Y. City. J. G. Haas & Co., St. Louis, Mo. T. Curran, Newark, N. J. Firm of Wm. Rieger, Frankfort-on-the-Main, Germany.	9606 26866 3930 4818	Aug. 15, 1882 July 23, 1895 Aug. 15, 1876 July 3, 1877.
Ark Arm and Hand Holding Cake of Soap } Axl and an Inn Axe and Auger Crossed }	N. K. Fairbank Co., Chicago, Ill. Proctor & Gamble, Cinn., O. Geo. W. Dyarman, Columbus, O.	26539 33603 22204	May 14, 1895 Oct. 17, 1899 Dec. 20, 1892
	J. S. Keefe, Phila., Pa.	5744	March 12, 1878
<b>B</b>			
Paby. A Baby, A Balloon Banjo, etc. Banner Bar of Soap and Ring } Barber, etc. A Barrel, etc. Basket, A Bell of Liberty	Lautz Bros. & Co., Buffalo, N. Y. Laut Bros. & Co., Dalton, Mass. F. G. Taylor, Providence, R. I. Proctor & Gamble, Cinn., O. J. Biechele, Canton, O. W. G. Crane, Cambridge, Ill. Theo. A. Kochs, Chi., Ill. C. S. Higgins, Brooklyn, N. Y. Proctor & Gamble, Cinn., O. J. D. Smith, Phila., Pa.	5054 8465 12719 19724 12300 10610 15749 19863 15924 3477	Aug. 23, 1876 July 12, 1881 Oct. 27, 1885 June 16, 1891 June 9, 1885 Oct. 2, 1883 Aug. 7, 1888 July 7, 1891 Oct. 2, 1888 Feb. 23, 1876

Pictorial Representation of	Name and Residence.	No.	Date of Registration.
Black Crow	L. Bolton & Co., Des Moines, Ia.	28966	Oct. 6, 1896
Black Oval Figures (2)	Colgate & Co., N. Y. City.	7065	March 4, 1879
Borax Soap powder. (Star)	B. T. Babbitt, N. Y. City.	5232	Sep. 20, 1877
Boy Partly Nude	Brooke Soap Mfg. Co., Phila., Pa.	26032	Feb. 12, 1895
Brush	Empire Soap Co., St. Louis, Mo.	12178	April 28, 1885
Bull	N. K. Fairbank & Co, Chi., Ill.	13176	April 13, 1886
<b>C</b>			
Cactus Plant	James E. Noble, Albany, N. Y.	23600	Sep. 12, 1893
Cakes of Soap (3)	Danl. F. Packer, Mystic River, Conn.	2170	Jan. 17, 1875
Calendar, a	J. S. Kirk & Co., Chicago, Ill.	3844	July 11, 1876
Candle, a	M Werks & Co., Cinn., O.	3857	July 18, 1876
Cannons, Ball and Sword	Butterworth & Wilber, Fall River, Mass.	3725	May 30, 1876
Capitol, U. S. Centennial Buildings	Capitol Mfg. Co., Springf'd, Mass.	20946	April 5, 1892
Centennial Corliss Engine	Q. A. Scott, Pittsburg, Pa.	3330	Jan. 4, 1876
Chain Lightning	R. W. Bell & Co., Buffalo, N. Y.	4514	April 3, 1877
Checkerboard	Gustave Hugee Magee, New Orleans, La.	15866	Sep. 11, 1888
Child Dressed as Witch	Schultz & Co., Zanesville, O.	3147	Nov. 16, 1875
Child Loosely Clad in Robe	Hance Bros. & White, Phila., Pa.	28909	Sep. 29, 1896
Chinese Head	Maross Jenkins, New York, N. Y.	32618	March 21, 1899
Circles and Wreaths (3)	C. F. Sentwick, Providence, R. I.	6938	Jan. 7, 1879
Circle inclosing Wreath	Wm. Gossage & Sons, Liverpool, Eng	21946	Nov. 8, 1892
Clock Dial	Wm. Gossage & Sons, Liverpool, Eng.	21917	Nov. 1, 1892
Collier	L. Graff, N. Y. City.	4757	June 19, 1877
Cologne Cathedral	R. W. Bell & Co., Buffalo, N. Y.	4453	March 20, 1877
Compass	Mülhens & Kropff, New York, N. Y.	36708	July 9, 1901
Cotton	Gustavus C. Kilgore & Ano., Belfast, Me.	20162	Sep. 22, 1891
Cotton Bale	Sherwood & Genin, Buffalo, N. Y.	1343	July 1, 1876
Cow's Head	Lautz Bros. & Co., Buffalo, N. Y.	8464	June 12, 1881
Cow Standing	The Chris. Lipps Co., Balto., Md.	27461	Dec. 10, 1895
Crest and Motto	The J. B. Williams Co., Glastonbury, Conn.	24542	April 17, 1894
Crystal	The J. B. Williams Co., Glastonbury, Conn.	25270	Sep. 25, 1894
Crystal	Van Wart & McCoy, N. Y. City.	4131	Nov. 14, 1876
	Jesse Ascough, Handsworth, Eng.	13483	July 13, 1886
	" "	13484	" "

**D**

Pictorial Representation of	Name and Residence.	No.	Date of Registration.
Deutsche	R. W. Bell & Co., Buffalo, N. Y.	2363	April 13, 1875
Deutsche Seife	“ “	2680	Aug. 31, 1875
Diagonal Green } Bar, etc. }	Proctor & Gamble, Cinn., O.	15755	Aug. 7, 1888
Diamond	J. Buchan & Co., New York City.	942	July 23, 1872
Drake Oil Well	Rice & Robinson Soap Co., Titusville, Pa.	22549	Feb. 28, 1893
Double Heart	H. C. Davis, Jr. & Co., Norfolk, Va.	20207	Oct. 13, 1891
Dove, Flying	Wm. Henry Hall, N. Y. City.	20009	Aug. 11, 1891
Dwelling House	J. W. Montgomery; J. C. Mc- Gregory, Decatur, Ills.	32527	Feb. 21, 1899
<b>E</b>			
Eagle, etc.	Colgate & Co., N Y. City.	7066	March 4, 1879
Erect woman } holding sack, } lab'led "Help." }	J.P.Goswell, et al, Nashville, Ark.	28337	June 2, 1896
Eye, etc.	McCullough Soap Co., Milwau- kee, Wis.	4971	July 31, 1877
Eye, etc.	McCullough Soap Co., Milwau- kee, Wis.	8258	May 24, 1881
<b>F</b>			
Face, Brushes, } Lather, etc. }	J. B. Williams & Co., Glaston- bury, Conn.	26118	Feb. 26, 1895
Feet, Two Human	D. W. Fessey, London, Eng.	11277	Jan. 24, 1883
Female Figure, } Table and } Scroll }	Goetzmann & Son, Rochester, N. Y.	6314	July 2, 1878
Female washing } Head of Child }	Kellar Soap Co., Williamsport, Pa.	33191	July 4, 1899
Flags (2 pair)	Jos. Cervinka, Chi., Ill.	14430	May 24, 1887
Flower Pot and } Flowers }	J. D. Stiefel, Offenbach-on-the- Main, Hesse, Germany.	11840	Dec. 30, 1884
Frog	Kendall Mfg. Co., Prov., R. I.	21404	July 5, 1892
<b>G</b>			
Girl blowing } bubbles }	J. H. Keller's Soap Wks., New Orleans, La.	34200	Feb. 13, 1900
Girl with Spade	Mexican Root Soap Co., Boston, Mass.	22468	Feb. 14, 1893
Globe	Terra Firma Soap Co., Washn., D. C.	19663	June 2, 1891
Globe bearing } words "Mer- } chants Pure } Family Soap." }	W. G. Meyer, Jersey City, N. J.	29845	April 13, 1897



L

Pictorial Representation of	Name and Residence.	No.	Date of Registration.
Lambs (2)	Raworth & Schodde, Chicago, Ill.	26516	May 7, 1895
Lamb and Lion	Wm. H. McMullin, Houston, Tex.	23396	July 25, 1893
Landing of the Pilgrims	James C. Davis & Son, Cambridge, Mass.	14568	July 5, 1887
Life Boatman, etc.	Lever Bros., Ltd., Port Sunlight, England.	25906	Jan. 22, 1895
Lion's Head	T. Ricksecker, N. Y. City.	5425	Dec. 11, 1877
Lion Shield, etc.	N. K. Fairbank & Co., Chi., Ill.	11649	Nov. 11, 1884
Log, Water, Dam and Women rinsing clothes	Martha Jane Crowell, Washita, Ark.	25771	Jan. 1, 1895
Landscape	Klapa & Poltz, Carlsbad, Aus.-Hung.	37360	Nov. 26, 1901
<b>M</b>			
Magician peering through telescope	Wm. Gossage & Sons, Liverpool, Eng.	21945	Nov. 8, 1892
Maltese Cross	Jesse Oakley, New York, N. Y.	760	April 17, 1872
Maltese Cross	Stanton Mfg. Co., Portland, Me.	21376	June 28, 1892
Man	J. McKeone, Phila., Pa.	4972	July 31, 1877
Man Kicking Boiler	F. H. Siddall, Phila., Pa.	6939	Jan. 7, 1879
Man Holding Violin	Louisa J. Burroughs, Bismark, Ark.	23818	Nov. 14, 1893
Man Oiling Belt	Merrill F. Delnow, Lynn, Mass.	21923	Nov. 1, 1892
Man and woman (witch); latter handing former branch of leaves.	Munyon's Homœopathic Home Remedy Co., Phila., Pa.	35300	Oct. 23, 1900
Medallion	Oakley Soap and Perfumery Co., N. Y. City	22022	Nov. 22, 1892
Medallion with Face of Helvetia	Chris. Lipps, Balto., Md.	9374	May 16, 1882
Mermaid	Los Angeles Soap Co., Los Angeles, Cal.	25225	Sep. 11, 1894
Mole	Mex. Amole Soap Co., Peoria, Ill.	15775	Aug. 14, 1888
Monkey and Pan	Benj. Brooke & Co., Phila., Pa.	16635	May 28, 1889
Monkey's Head and Pair of Wings	Benj. Brooke & Co., Phila., Pa.	26120	Feb. 26, 1895
Moon, Face and Stars	Proctor & Gamble, Cinn., O.	9829	Nov. 21, 1882
Moon, Face and Stars	" "	9843	Nov. 28, 1882
Moon, Face and Stars	" "	17497	July 9, 1889

Pictorial Representation of	Name and Residence.	No.	Date of Registration.
Moon, Face and Stars } Mortar (Druggists) } Mug } “ }	Proctor & Gamble, Cinn., O. Graham Bros. & Co., Chicago, Ill. J. B. Williams & Co., Glastonbury, Conn. J. B. Williams & Co., Glastonbury, Conn.	3349 13518 8120 9062	July 11, 1876 July 20, 1886 Dec. 14, 1880 Jan. 31, 1882
<b>N</b>			
Negro Babies (2) Negro, etc. Nursery	N. K. Fairbank & Co., Chi., Ill. Proctor & Gamble, Cinn., O. B. T. Babbitt, N. Y. City	12255 19725 4293	May 19, 1885 June 16, 1891 Jan. 23, 1877
<b>O</b>			
Oblong figure, dots, lines and cross-bars } Oblong figure, with wings } Octagonal figure and cross } Oil Palm Cone } Bearing Flower } Old Man (Quaker) } Old Man seated in Laboratory } Olive Tree }	N. K. Fairbank & Co., Chi., Ill. Buffalo Soap Co., Buffalo, N. Y. Thomas Gill, Jersey City, N. Y. Edw. S. Morris, Phila., Pa. B. J. Bruns, San Francisco, Cal. Maross Jenkins, New York, N. Y. Cal. Olive Oil Soap Co., New York City C. S. Higgins, Brooklyn, N. Y. Lautz Bros. & Co., Buffalo, N. Y.	13545 1651 4312 37199 36961 32617 24293 3212 10981	Aug. 3, 1886 March 3, 1874 Jan. 30, 1877 Oct. 15, 1901 Aug. 27, 1901 March 21, 1899 March 6, 1894 Dec. 7, 1875 March 4, 1884
Oval Symbol Ox			
<b>P</b>			
Palm Nut Panel inclosed within an elliptical figure } Parallel Bars or Gutters } Parallelograms, on yellowish red ground } Person washing face of another } Person washing face of another } Pick, shovels, etc. } Pine Branch }	E. S. Morris & Co., Phila., Pa. The Oakley Soap & Perf. Co., N. Y. City Mülhens & Kropff, N. Y. City Proctor & Gamble, Cinn., O. Lautz Bros. & Co., Buffalo, N. Y. “ “ R. W. Bell Mfg. Co., Buffalo, N. Y. Amer. Consol. Pine Fibre Co., New York, N. Y.	3127 26948 12863 11193 5098 8496 13363 36865	Nov. 9, 1885 Aug. 13, 1895 Dec. 15, 1885 Feb. 10, 1885 Aug. 20, 1877 July 19, 1881 June 1, 1886 Aug. 6, 1901

Pictorial Representation of	Name and Residence.	No.	Date of Registration.
Polar Bear	W. C. Crawford, Balt., Md.	28020	March 4, 1896
Posts, Five	E. L. Post, N. Y. City	9316	April 25, 1882
Prismatic Bars (2)	H. Finn & Son, Syracuse, N. Y.	19768	June 30, 1891
Pyramid	A. Melzer & Co., Evansville, Ind.	5547	Jan. 22, 1878
<b>R</b>			
Railroad Passenger Coach	American Chemical Co., Minneapolis, Minn.	26907	Aug. 6, 1895
Ram's Head	Jos. Watson & Sons, Leeds, Eng.	26605	May 28, 1895
Red, White and Blue Stripes and Circles	Oliver Cutts & Co., Port Au Prince, Hayti	1462	Sep. 23, 1873
Riding Saddle	Benj. B. Turner, London, Eng.	18423	Sep. 9, 1890
Rock	Herbert M. Small and Henry B. Teed, Baldwinsville, Mass.	24543	April 17, 1894
Rooster	W. & H. Walker, Pittsburg, Pa.	35743	Jan. 8, 1901
<b>S</b>			
Shaving Mug	D. S. Brown & Co., N. Y. City	6396	July 23, 1878
Scroll or Banner	Graham Bros. & Co., Chicago, Ill.	25643	Dec. 11, 1894
Scales	Day & Frick, Phila., Pa.	5293	Nov. 6, 1877
Seven pointed Star	Norddeutsche Wollkammerei, Bremen, Germany	35928	Feb. 19, 1901
Sickle and Rising Sun	Velline Soap Mfg. Co., Norfolk, Va.	18286	Aug. 12, 1890
Shield, A	Christian Pauly, Jersey City, N.J.	6738	Oct. 22, 1878
Shield, A	J. M. Jones, Jersey City, N. J.	4791	June 26, 1877
Shield bearing picture of phoenix and surmounted with crown.	Phoenix Chem. Wks., Chicago, Ill.	30246	June 22, 1897
Ship's Steering Wheel	Wm. Gossage & Sons, L'v'po'l, Eng	21918	Nov. 1, 1892
Ship's Steering Wheel, etc.	" "	21920	"
Ship's Steering Wheel	" "	21921	"
Soap (cakes) and Wrapper	The J. B. Williams Co., Glastonbury, Conn.	25353	Oct. 16, 1894
Soldier, A	C. S. Higgins, Brooklyn, N. Y.	7834	Feb. 24, 1880
Spanish Bouquet Plant	Mexican Amole Soap Co., Peoria, Ill.	15776	Aug. 14, 1889
Star, A	Cornwall & Bro., Louisville, Ky	4835	July 10, 1877
Star, A	Wm. M. Marcus, Talladega, Ala.	23271	June 27, 1893
Stars (3)	Liebmann & Butler, Brooklyn, N. Y.	11148	April 29, 1884
Stars, etc.	Proctor & Gamble, Cinn., O.	9849	Nov. 28, 1882

Pictorial Representation of	Name and Residence.	No.	Date of Registration.
Star and Arrow	W. Kirk Soap Co., Chi., Ill.	27570	Dec. 31, 1895
Star (red)	R. H. Macy & Co., N. Y. City	24394	March 20, 1894
Stars and Profile	Proctor & Gamble, Cinn., O.	9842	Nov. 28, 1882
Statue, A	The Torrey & Bentley Co., Boston, Mass.	24495	April 10, 1894
Statue, A	A. and F. Pears, Bloomsburg, Middlesex Co., England	9407	May 23, 1882
Statue of America	Empire Soap Co., St. Louis, Mo.	12149	April 21, 1885
Swan (laundry)	Lever Bros. (Ltd.), Port Sunlight, Eng.	33151	June 27, 1899
Swan (toilet)	Lever Bros. (Ltd.), Port Sunlight, Eng.	33945	Dec. 26, 1899
Symbol with 2 Arrow Heads }	Estate of B. T. Babbitt, N. Y. City	26119	Feb. 26, 1895
<b>T</b>			
Thistle, A	United Alkali Co. (Ltd.), Liverpool, Eng.	22942	May 2, 1893
Thistle, A	United Alkali Co. (Ltd.), Liverpool, Eng.	22943	"
Tiger, A	R. M. Bishop & Co., Cinn. O.	1565	Dec. 9, 1873
Time Holding Scythe }	N. K. Fairbank & Co., Chi., Ill.	20112	Sep. 8, 1891
Tin Tag, A	Empire Soap Co., St. Louis, Mo.	13747	Oct. 19, 1886
Trefoil	S. Maw, Son & Sons, Lon., Eng.	37129	Oct. 1, 1901
Two children partially nude and facing }	Raworth, Schodde & Co., Chicago, Ill.	29020	Oct. 20, 1896
Two human hands juxtaposed with thumbs out. }	Maypole Co., (Ltd.), London, Eng.	30554	Sep. 14, 1897
Two human heads covered with lather }	M. J. Baker & Co., Toronto, Canada	32110	Nov. 1, 1898
<b>W</b>			
Wagon Train	Pacific Coast Borax Co, San Francisco, Cal.	28491	June 30, 1896
Water Queen	Kansas City Soap Co., Kansas City, Mo.	12777	Nov. 17, 1885
Wedding Ring	J. F. Humphreys & Co., Bloomington, Ill.	35478	Nov. 20, 1900
Well Curb, etc.	J. H. Kelley, New Orleans, La.	12532	Aug. 25, 1885
White Daisy	The Torrey & Bentley Co., Boston, Mass.	24152	Jan. 30, 1894
Winged Globe surmounted with clasped hands }	Curtis Davis & Co., Cambridge, Mass.	29318	Dec. 15, 1896



Pictorial Representation of	Name and Residence.	No.	Date of Registration.
Wish bone (broken) }	J. F. Humphreys & Co., Bloomington, Ill.	35477	Nov. 20, 1900
Witch of Endor Woman	Heller, Blau & Jay, Newark, N. J. Montgomery, Ward & Co., Chi., Ill.	33977	Jan. 2, 1900
Woman, etc.	N. K. Fairbank & Co., Chi., Ill.	14377	May 10, 1887
Woman, etc.	Wabash Soap & Chemical Co., Wabash, Ind.	19696	June 16, 1891
Woman at tub shielding face from reflected sunlight }	Lever Bros., Ltd., Port Sunlight, Eng.	25691	Dec. 18, 1894
Woman hanging clothes. }	Crescent Soap Wks., New Orleans, La.	35229	Oct. 9, 1900
Woman prodding clothes in tub	Mittie E. Butler, Jetmore, Kan.	25936	Jan. 29, 1895
Woman rinsing clothes, etc. }	Chas. F. Miller, Lancaster, Pa.	33601	Oct. 17, 1899
Woman wash- ing clothes }	Martha Jane Crowell, Washita, Ark.	29486	Jan. 19, 1897
Wreath, "M" and Crown	Kendall Mfg. Co., Providence, R. I.	25771	Jan. 1, 1895
		22164	Dec. 13, 1892

# PART II



## COPYRIGHTED TRADE MARKS

### FOR

# SOAP

CLASS 61.

Figures Representing the Marks.

Figures.	Name and Residence.	No.	Date of Registration.
"C" enclosed in 	Cudahy Packing Co., So. Omaha, Neb.	35476	Nov. 20, 1900
C. C. Co.	Allen Conkling, Chicago., Ill.	32324	Jan. 3, 1899
C. O. D.	Chas. W. T. Davies, New York, N. Y.	34911	July 7, 1900
"G" enclosed in 	Cudahy Packing Co., So. Omaha, Neb.	34196	Feb. 13, 1900
H-O	The H-O (Hornby's Oatmeal) Co., New York, N. Y.	20467	Aug. 3, 1897
IXL	E. P. Dresser Soap Co., Kansas City, Mo.	20407	Nov. 24, 1891
L. A. W.	Finley, Acker & Co., Phila., Pa.	32526	Feb. 21, 1899
Large Numeral "4"	Iowa Soap Co., Burlington, Ia.	33688	Nov. 7, 1899
100 per Cent	Curtis Davis & Co., Cambridge, Mass.	29453	Jan. 12, 1897
"O. C." in oval with soap cake background } "R. G." in round ornamental de- } sign. } 3-4-10	O. C. Soap Co., New York, N. Y.	35738	Jan. 8, 1901
	Roger & Gallet, Paris, France.	35737	Jan. 8, 1901
	McGiffert & Wands, Newburg, N. Y.	18302	Aug. 12, 1890

## PART III.

### List of Soap Manufacturers.

#### A

1. Acme Soap Co., New York, N. Y.
2. Ahlborn Bros., Wilkesbarre, Pa.
3. Akron Soap Co., Akron, Ohio.
4. Alladin Soap Co., Sheboygan, Mich.
5. Allison Bros., Middletown, Conn.
6. Alpine Soap Co., Phila., Pa.
7. Alta Soap Co., San Francisco, Cal.
8. Amalga Soap Co., Brooklyn, N. Y.
9. American Soap and Washoline Co., Cohoes, N. Y.
10. Ann Arbor Soap Works, Ann Arbor, Mich.
11. Armour Soap Works, Chicago, Ill.
12. Armstrong (J.) & Co., Baltimore, Md.
13. Armstrong Packing Co., Dallas, Texas.
14. Armstrong (W. E.) & Co., Little Falls, N. Y.
15. Aurora Soap Works, Aurora, Ill.
16. Axtell Soap Co., Terre Haute, Ind.
17. American Soap & Chemical Co., Minneapolis, Minn.

#### B

25. Babbitt, B. T., New York, N. Y.
26. Bailey (T. B.) Co., Boston, Mass.
27. Bannerman & Co., Chicago, Ill.
28. Beach (James) & Sons, Dubuque, Ia.
29. Beach Soap Co., Lawrence, Mass.
30. Beaver Soap Co., Dayton, Ohio.
31. Belknap & McCann, Newburg, N. Y.
32. Bell (S. W.) & Co., Toledo, Ohio.
33. Bell & Bogart Soap Co., New York, N. Y.
34. Bellis Bros. & Pate, Louisville, Ky.

35. Biechle (Jos.) Soap Co., Canton, Ohio.
36. Bon Ami Co., New York, N. Y.
37. Booth (R. T.) & Co., Ithaca, N. Y.
38. Bradshaw Bros. & Co., Minneapolis, Minn.
39. Bresch (L. P.) & Co., St. Louis, Mo.
40. Brett & Simpson, New Bedford, Mass.
41. Bryant, L. H., Brunswick, Me.
42. Brown (David S.) & Co., New York, N. Y.
43. Burr (David) & Co., Chicago, Ill.
44. Beaumont Soap Co., Mayfield, Ky.
45. Bremer (A. R.) Co., Chicago, Ill.
46. Bailey (C. J.) & Co., Boston, Mass.
47. Bowers (C.) & Co., Buffalo, N. Y.

## C

50. Cactus Soap Co., Columbus, Ohio.
51. Capital Soap Co., Sacramento, Cal.
52. Cassetty Oil Co., Nashville, Tenn.
53. Central City Soap Co., Jackson, Mich.
54. Central Mfg. Co., Cleveland, Ohio.
55. Christian (Jno. M.) & Bros., Albany, N. Y.
56. Chronister, V. H., Decatur, Ill.
57. Cincinnati Soap Co., Cincinnati, Ohio.
58. Citrus Soap Co., San Diego, Cal.
59. Clark (L. A.) Co., Bridgeport, Conn.
60. Clifford Perfumery Co., Boston, Mass.
61. Clouchek (J. F.) & Co., Michigan City, Ind.
62. Colgate & Co., New York, N. Y.
63. Columbia Chemical Works, Brooklyn, N. Y.
64. Comfort Powder Co., Hartford, Conn.
65. Commercial Soap Works, New Orleans, La.
66. Condon (Thos. F.) & Co., (Maubert, Paris) New York, N. Y.
67. Conkling Chemical Co., Chicago, Ill.
68. Conway's (Francis) Sons, Phila., Pa.
69. Cosmo-Buttermilk Soap Co., Chicago, Ill.
70. Crescent Soap Works, New Orleans, La.
71. Crofts & Reed, Chicago, Ill.
72. Crown Mfg. Co., Brooklyn, N. Y.

73. Cudahy Packing Co., So. Omaha, Neb.
74. Court Perfumery Co., New York, N. Y.
75. Capital Soap Works, Salem, Ore.
76. Cuyahoga Rendering & Soap Works, Cleveland, Ohio.
77. Carbolie Soap Co., New York, N. Y.
78. Crystal Soap Co., Milwaukee, Wis.

## D

80. Davies, J. P., Dayton, Ohio.
81. Davis (J. C.) & Son, Boston, Mass.
82. Davis & Simmons Soap Co., Chicago, Ill.
83. Day & Frick, Phila., Pa.
84. Dennison Soap & Chemical Co., Dennison, Texas.
85. Desmond & Ryan, Cincinnati, Ohio.
86. Detroit Electric Soap Co., Detroit, Mich.
87. Detroit Soap Co., Detroit, Mich.
88. Dietrich (J.) & Co., San Antonio, Texas.
89. Dingman Soap Co., Buffalo, N. Y.
90. Diuguid Bros., Lynchburg, Va.
91. Dobbins Soap Co., Phila., Pa.
92. Dock (Wm.) & Co., Cincinnati, Ohio.
93. Dooley, R. J., Peoria, Ill.
94. Draper (J. O.) & Co., Pawtucket, R. I.
96. Dunwoody Bros. Soap Co., Denver, Col.
97. Davis Bros., High Point, N. C.
98. Daland & Co., New York, N. Y.
99. Dreydoppel, Wm., Phila., Pa.

## E

105. Eavenson (J.) & Sons, Phila., Pa.
106. Ecker & Co., Phila., Pa.
107. Eklund (C. A.) & Co., Worcester, Mass.
108. Electric Cleanser Co., Canton, Ohio.
109. Elgin Soap Works, Elgin, Ill.
110. Elkinton, Jos. S. & T., Phila., Pa.
111. Enterprise Soap Works, Nashville, Tenn.
112. Essex Soap Co., Cleveland, Ohio.
113. Eureka Soap Co., Cincinnati, Ohio.

- 114. Ehrenfried Soap Co., Tiffin, O.
- 115. East River Chemical Works, New York, N. Y.
- 116. Elmira Soap Works, Elmira, N. Y.

## F

- 125. Fairbank (N. K.) Co., Chicago, Ill., St. Louis, Mo.
- 126. Fairchild (M. H.) & Co., Chicago, Ill.
- 127. Fairchild & Shelton, Bridgeport, Conn.
- 128. Fansher Bros., Dayton, Ohio.
- 129. Fels & Co., Phila., Pa.
- 130. Finn's (H.) Sons, Syracuse, N. Y.
- 131. Fischbeck & Gloomtz, San Francisco, Cal.
- 132. Fisk Mfg. Co., Springfield, Mass.
- 133. Fitzpatrick Bros., Chicago, Ill.
- 134. Florida Soap Co., Jacksonville, Fla.
- 135. Foote & Jenks, Jackson, Mich.
- 136. Franklin Soap Co., Cincinnati, Ohio.

## G

- 145. Gaunt & Janvier (A. & F. Pears) New York, N. Y.
- 146. Georgia Soap Co., Atlanta, Ga.
- 147. Geyserite Soap Mfg. Co., Denver, Col.
- 148. Gilbert Soap Co., Seattle, Wash.
- 149. Gill, Est. of Thos., Brooklyn, N. Y.
- 150. Globe Refining Co., Louisville, Ky.
- 151. Globe Soap Co., Cincinnati, Ohio.
- 152. Good, James, Philadelphia, Pa.
- 153. Gowans & Sons, Buffalo, N. Y.
- 154. Graham Bros. & Co., Chicago, Ill.
- 155. Granite City Soap Co., Newburg, N. Y.
- 156. Green Bay Soap Co., Green Bay, Wis.
- 157. Gross (H. F.) Soap Co., Milwaukee, Wis.
- 158. Grossfield & Roe, Chicago, Ill.
- 159. Gay, Wm., Peabody, Mass.

## H

- 175. Haas (J. G.) Soap Co., St. Louis, Mo.
- 176. Hall & Ruckel, New York, N. Y.
- 177. Hamilton (Robt.) & Son, Phila., Pa.

- 178. Harris (Jabesch) Mfg. Co., Buffalo, N. Y.
- 179. Haskins Bros. & Co., Omaha, Neb., Sioux City, Ia.
- 180. Hasley (Geo.) & Sons, Pittsburg, Pa.
- 181. Heppe (Wm.) & Sons, Logansport, Ind.
- 182. Hersom (Thos.) & Co., New Bedford, Mass.
- 183. Hewitt Bros. Soap Co., Dayton, Ohio.
- 184. Hoefner (A.) & Sons, Buffalo, N. Y.
- 185. Holbrook Mfg. Co., New York, N. Y.
- 186. Holman Soap Co., Chicago, Ill.
- 187. Hoxie Chemical Co., Cambridge, Mass.
- 188. Hood (C. I.) & Co., Lowell, Mass.
- 189. Hay Specialties Co., Newark, N. J.
- 190. Home Supply Co., Buffalo, N. Y.

# I

- 200. Imperial Varnish & Color Co., Toronto, Can.
- 201. Iowa Soap Co., Burlington, Ia.

# J

- 210. Janton (Geo.) & Sons, Columbus, O.
- 211. Jergens (Andrew) Co., Cincinnati, Ohio.
- 212. Johnson (B. J.) Soap Co., Milwaukee, Wis.
- 213. Johnston & Brewer, Denver, Col.
- 214. Jones (C. L.) & Co., Boston, Mass.
- 215. Judd (W. H.) & Co., Hamilton, Ont.
- 216. Johnson and Johnson, New Brunswick, N. J.

# K

- 225. Keller (J. H.) Soap Works, New Orleans, La.
- 226. Kemp (L.) & Sons, Cambridgeport, Mass.
- 227. Kendall Mfg. Co., Providence, R. I.
- 228. Kingan Soap Co., Indianapolis, Ind.
- 229. Kiota Soap Co., Cleveland, Ohio.
- 230. Kirchman Co., Chicago, Ill.
- 231. Kirkman & Son, Brooklyn, N. Y.
- 232. Kirk (Jas. S.) & Co., Inc., Chicago, Ill.
- 233. Kipford Soap Co., Newberry, Pa.
- 234. Knickerbocker Soap Co., Brooklyn, N. Y.

## L

- 240. La Crosse Soap Works, La Crosse, Wis.
- 241. La Parle Obesity Soap Co., New York, N. Y.
- 242. Larkin Soap Co., Buffalo, N. Y.
- 243. Lazell, Dalley & Co., New York, N. Y.
- 244. Lautz Bros. & Co., Buffalo, N. Y.
- 245. Lever Bros., Ltd., Boston Works, Boston, Mass.
- 246. Lever Bros., Ltd., Toronto Works, Toronto, Canada.
- 247. Lichtenheld, B. E., Racine, Wis.
- 248. Liberty Mfg. Co., Chicago, Ill.
- 249. Lipps (Christopher) Co., Baltimore, Md.
- 250. Los Angeles Soap Co., Los Angeles, Cal.
- 251. Louisville Soap Co., Louisville, Ky.
- 252. Luckel, King & Cake Soap Co., Portland, Ore.
- 253. Ludlow Soap Mfg. Co., Washington C. H., Ohio.
- 254. Lynch, Thos. A., Brooklyn, N. Y.
- 255. Laramie Soap Co., Laramie, Wyo.
- 256. Lever Bros., Ltd., Phila. Works, Phila., Pa.

## M

- 265. Magic Soap Co., Danville, Ill.
- 266. Minnesota Soap Co., St. Paul, Minn.
- 267. Maple City Soap Works, Monmouth, Ill.
- 268. Maple Leaf Soap Co., St. Joseph, Mo.
- 269. Marinette Soap Co., Marinette, Wis.
- 270. Marsh (Geo. E.) & Co., Lynn, Mass.
- 271. McClaren & Co., St. Catherine, Ont.
- 272. Medicura Soap Co., New York, N. Y.
- 273. Melzer Bros., Evansville, Ind.
- 274. Metropolitan Soap Co., New York, N. Y.
- 275. Mexican Amole Soap Co., Peoria, Ill.
- 276. Mexican Palmea Soap Co., Kansas City, Mo.
- 277. Michigan Soap Works, Detroit, Mich.
- 278. Miller (Chas. F.) Mfg. Co., Lancaster, Pa.
- 279. Miller, F. K., Reading, Pa.
- 280. Manhattan Soap Co., New York, N. Y.
- 281. Minteaux Soap Co., Cincinnati, Ohio.
- 282. Mission Soap & Candle Works, San Francisco, Cal.



- 283. Monahan Antiseptic Co., Chicago, Ill.
- 284. Montana Soap Co., Butte City, Mont.
- 285. Morgan's (Enoch) Sons Co., New York, N. Y.
- 286. Morse (Jas. F.) & Co., Boston, Mass.
- 287. Moulson Soap Works, Rochester, N. Y.
- 288. Mound City Paint & Color Co., St. Louis, Mo.
- 289. Mülhens & Kropff, New York, N. Y.
- 290. Munson & Sprague, Wabash, Ind.
- 291. Munyon's Hom. R'd'y. Co., New York, N. Y.
- 292. Morris, Butt and Muller, Kansas City, Mo.
- 294. Mortimer Soap Co., Woodcliff, N. J.
- 295. McCaw Mfg. Co., Macon, Ga.
- 296. Mungeer Mfg. Co., Brooklyn, N. Y.
- 297. Marsh (C. E.) & Co., Lynn, Mass.

## N

- 305. National Soap Co., Titusville, Pa.
- 306. Newton, Jesse O., Greenfield, Mass.
- 307. New York Soap Works, New York, N. Y.
- 308. Northwestern Soap Works, Minneapolis, Minn.
- 309. Norris (Wm. H.) & Sons, Chelsea, Mass.
- 310. Norton, G. W., Somerville, Mass.
- 311. Nox Soap Co., Cleveland, Ohio.
- 312. New York Shield Co., New York, N. Y.
- 313. Naphthalene Mfg. Co., Toledo, Ohio.

## O

- 320. Oakley Soap & Perfume Co., New York.
- 321. Oettinger Soap Co., Brooklyn, N. Y.
- 322. Ohio Mfg. Co., Cincinnati, Ohio.
- 323. Oshkosh Soap Co., Oshkosh, Wis.

## P

- 328. Packer Mfg. Co. Mystic, Conn.
- 329. Palmer, Solon, New York, N. Y.
- 330. Palmetto Soap Mfg. Co., Charleston, S. C.
- 331. Parker, Est. of Oliver, Philadelphia, Pa.
- 332. Pasfield Soap Co., Brooklyn, N. Y.
- 333. Passolt, Henry, Saginaw, Mich.

- 334. Peerless Soap & Perfume Co., New York, N. Y.
- 335. Peet Bros. Mfg. Co., Kansas City, Mo.
- 336. Petrolia Mfg. Co., New York, N. Y.
- 337. Phoenix Soap Works, Chicago, Ill.
- 338. Potter Drug & Chemical Co., Boston, Mass.
- 339. Pottsville Soap Works, Pottsville, Pa.
- 340. Price (Jas. S.) Mfg. Co., New York, N. Y.
- 341. Proctor & Gamble, Cincinnati, Ohio.
- 342. Puck Mfg. Co., Des Moines, Ia.
- 343. Purefoam Co., Manchester, Conn.
- 344. Pyle (James) & Son, New York, N. Y.
- 345. Priscilla Mfg. Co., Hartford, Conn.
- 346. Puritan Soap Co., Racine, Wis.
- 347. Portland Soap & Chemical Co., Portland, Ore.

## Q

- 350. Queen City Soap Co., Cincinnati, Ohio.

## R

- 355. Remmers Soap Co., Cincinnati, Ohio.
- 356. Robertson (J. T.) Co., Manchester, Conn.
- 357. Robinson Bros. & Co., Malden, Mass.
- 358. Rome Soap Co., Rome, N. Y.
- 359. Ross, Thos., Columbus, Ohio.
- 360. Royce, Abner, Cleveland, Ohio
- 361. Ruschhaupt Bros., Fresno, Cal.
- 362. Rutherford & Barnes, Brooklyn, N. Y.
- 363. Reardon (Jno.) & Sons (Inc.), Boston, Mass.
- 364. Rockefeller Soap Co., Brooklyn, N. Y.
- 365. Reichhard (Geo.) & Sons, New York, N. Y.
- 366. Roever (The Henry) Co., Cincinnati, Ohio.
- 367. Rex Soap Co. (Vosburgh & Co.), Chicago, Ill.

## S

- 370. San Antonio Soap Works, San Antonio, Texas.
- 371. Sanders, Robt., Urbana, Ohio.
- 372. Schaeffer Bros. & Powell, St. Louis, Mo.
- 373. Schmidt, Geo. A., Chicago, Ill.
- 374. Schulte Soap Co., Detroit, Mich.

- 375. Schultz & Co., Zanesville, Ohio.
- 376. Schnaible (M. & J.) Co., Lafayette, Ind.
- 377. Seattle Soap Co., Seattle, Wash.
- 378. Sercomb (C. A.) Mfg. Co., Milwaukee, Wis.
- 379. Shaker Soap Co., Columbus, Ohio.
- 380. Shaver, Blake & Co., Cedar Rapids, Ia.
- 381. Shreveport Cotton Oil Co., Shreveport, La.
- 382. Simpson Soap Co., Newark, Ohio.
- 383. Smith, Est. of C. W., New York, N. Y.
- 384. Society Soap Co., Camden, N. J.
- 385. South Bend Soap Works, South Bend, Ind.
- 386. Southern Cotton Oil Co., New York, N. Y.
- 387. Speare's (Alden) Sons Co., New York, N. Y.
- 388. Speicher & Rees Co., Wabash, Ind.
- 389. Spokane Soap Co., Spokane, Wash.
- 390. St. Croix Soap Co., St. Stephens, N. B.
- 391. Standard Soap Co., West Berkley, Cal.
- 392. Strunz (S.) & Son, Pittsburg, Pa.
- 393. Summit City Soap Works, Fort Wayne, Ind.
- 394. Swift & Co., Chicago, Ill.
- 395. Sibley Soap Co., Franklin, Pa.
- 396. Stead (G. D.) Soap Co., San Diego, Cal.
- 397. Sommers, (R.) Franklin, Mass.
- 398. Stewart Bros. Soap Co., Council Bluffs, Ia.
- 399. Sorosis Soap Co., New York, N. Y.
- 400. Stanley, (John T.) New York, N. Y.
- 401. Specialty Soap Mfg. Co., Phila., Pa.
- 402. Sherwin-Burrill Soap Co., Ellsworth, Me.

## T

- 410. Taylor (Jno.) & Co., (Morse Soap Works), Toronto, Can.
- 411. Texas Refining Co., Greenville, Texas.
- 413. Thatcher, A., Gardner, Ill.
- 414. Thompson & Chute, Toledo, Ohio.
- 415. Tomson (P. C.) & Co., Phila., Pa.
- 416. Trenkamp, F., Milwaukee, Wis.
- 417. Torrey, J. A., Rockland, Mass.
- 418. Tulloch (James) & Co., Chicago, Ill.

## U

- 425. Union Soap Co., Chicago, Ill.
- 426. Union Soap Co., Baltimore, Md.
- 427. Union Soap Works, Wilkesbarre, Pa.
- 428. United States Soap Co., Cincinnati, Ohio.
- 429. Upson's Oil & Soap Co., Parkersburg, Va.

## V

- 435. Vail Bros., Phila., Pa.
- 436. Vacuum Soap Co., Phila., Pa.

## W

- 440. Wadham's Oil & Grease Co., Milwaukee, Wis.
- 441. Walker, W. & H., Pittsburg, Pa.
- 442. Waltke (Wm.) & Co., St. Louis, Mo.
- 443. Warnock & Ralston, Rock Island, Ill.
- 444. Weideman Co., Cleveland, Ohio.
- 445. Werk (M.) Co., Cincinnati, Ohio.
- 446. Western Soap Co., Los Angeles, Cal.
- 447. White & Bagley, Worcester, Mass.
- 448. Whitney, G. F., Boston, Mass.
- 449. Whitney, Z. W., Lansdowne, Pa.
- 450. Williams & Hunt, Indianapolis, Ind.
- 451. Williams (Wm.) Co., Indianapolis, Ind.
- 452. Williams (J. B.) Co., Glastonbury, Conn.
- 453. Wilson & Gorman, Pittsburg, Pa.
- 454. Wineburgh Bros., New York, N. Y.
- 455. Wolfe (J. N.) Soap Co., Pittsburg, Pa.
- 456. Worden (W. D.) & Co., Rochester, N. Y.
- 457. Wrigley Mfg. Co., Phila., Pa.
- 458. Wrisley (Allen B.) Co., Chicago, Ill.
- 459. Wiehle Soap Co., Ironton, Ohio.
- 461. Wayne Soap Co., Detroit, Mich.
- 462. Windsor (M. F.) & Co., (Op't'rs. R. W. Bell Mfg. Co.),  
Buffalo, N. Y.
- 463. Weaver, Kengla & Co., West Washington, D. C.

## Y

- 470. Young (Chas. W.) & Co., Phila., Pa.
- 471. Yucca Soap Co., Wichita, Kan.

# List of Trade Marks, Copyrighted and Uncopy- righted, in Present Use and Claimed Ownership by the Soap Manufacturers Reporting.

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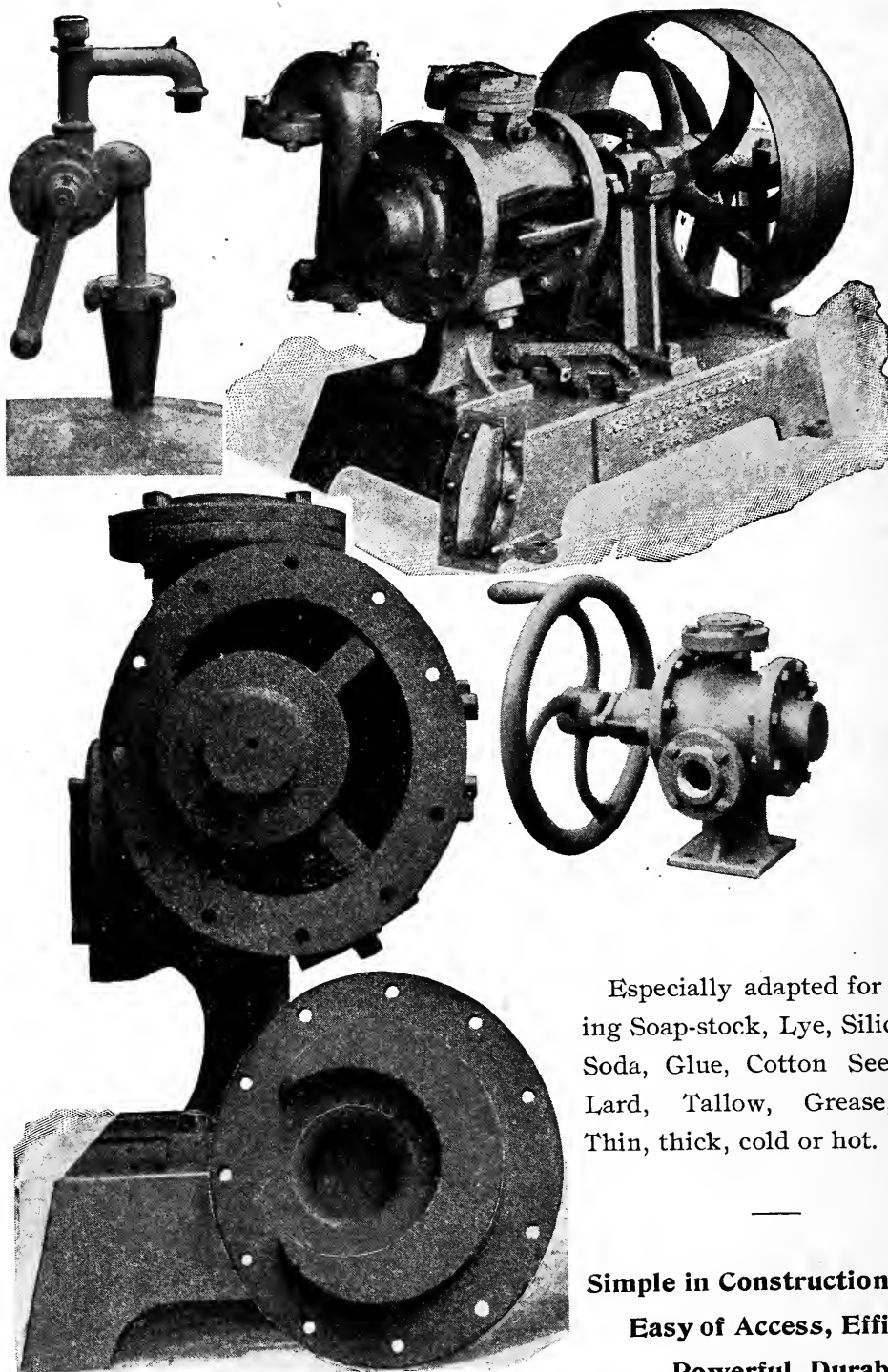
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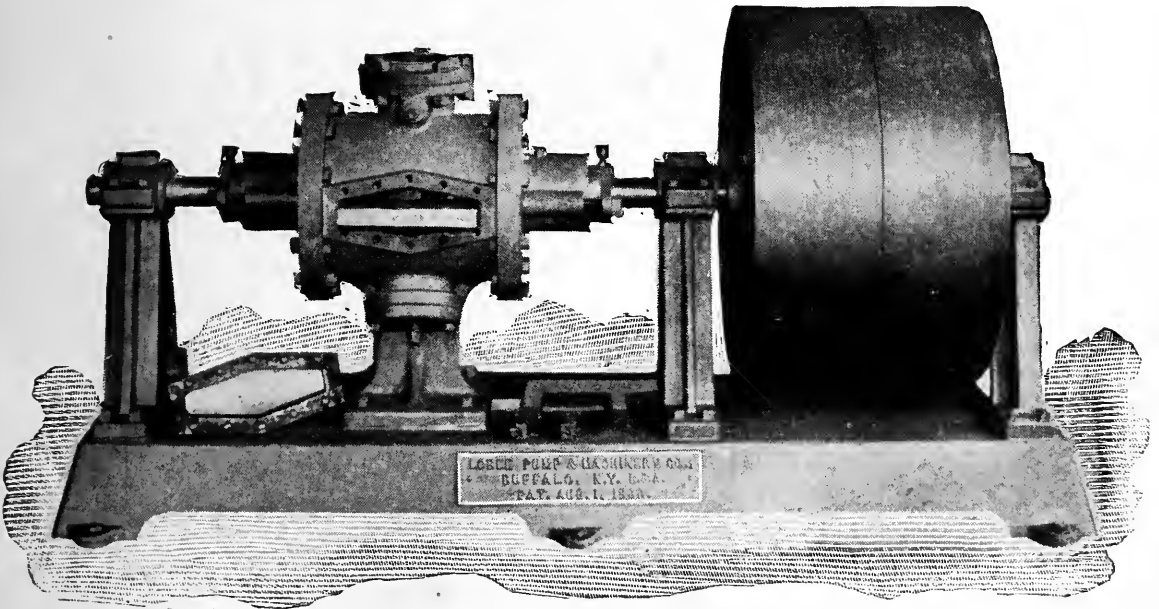
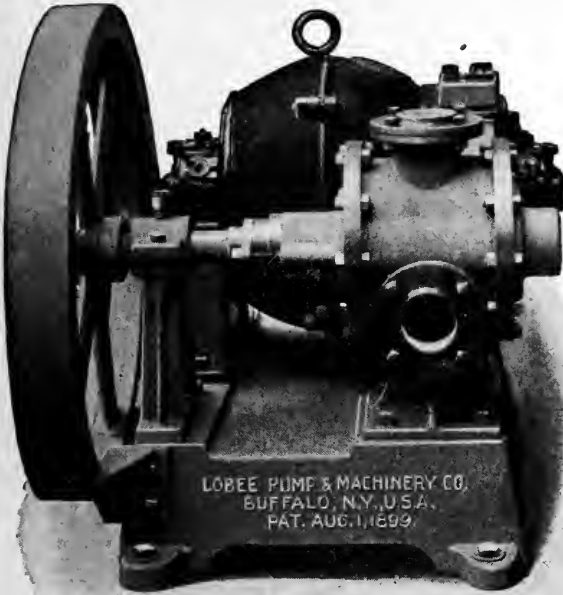
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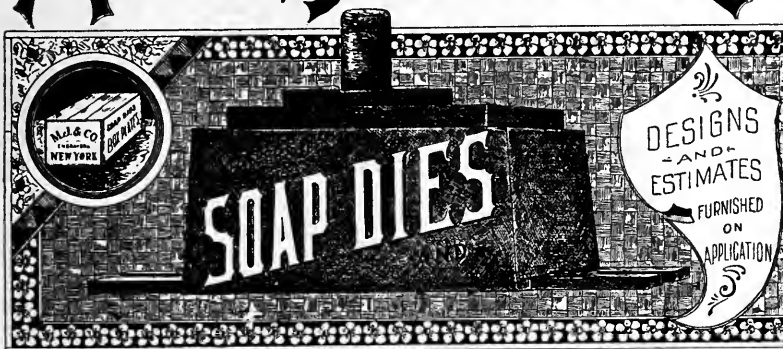
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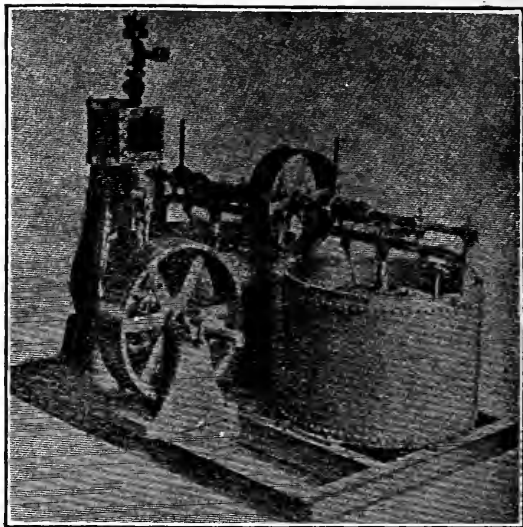
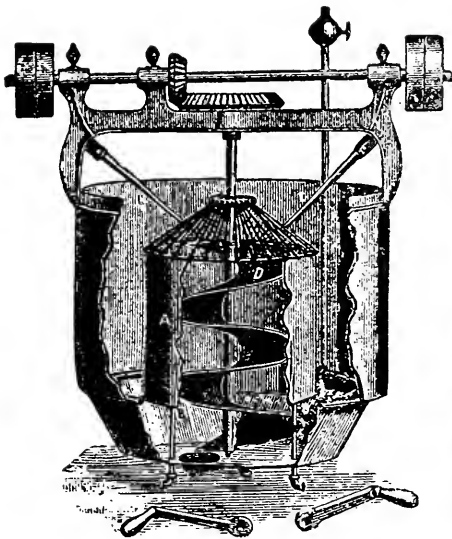
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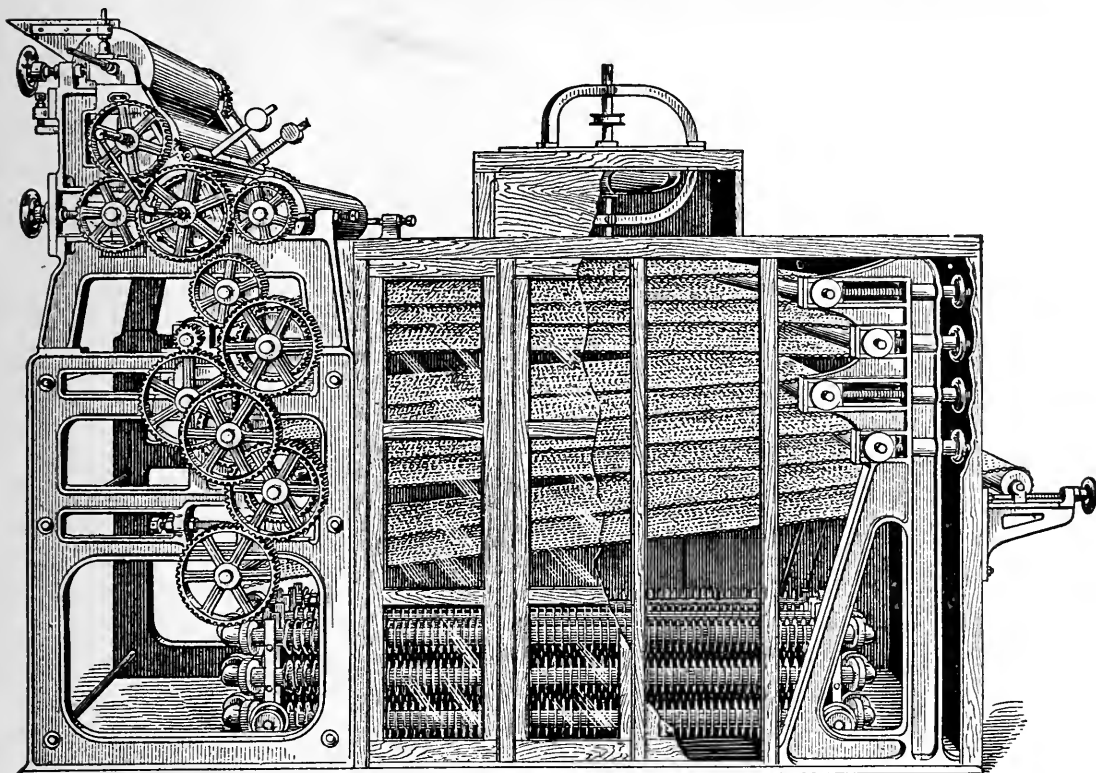
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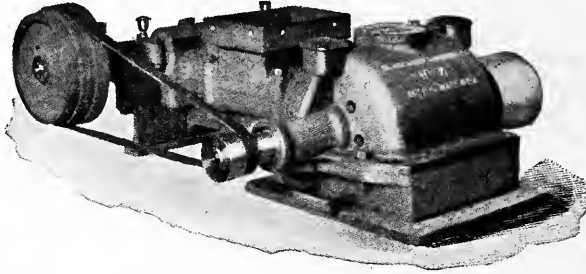
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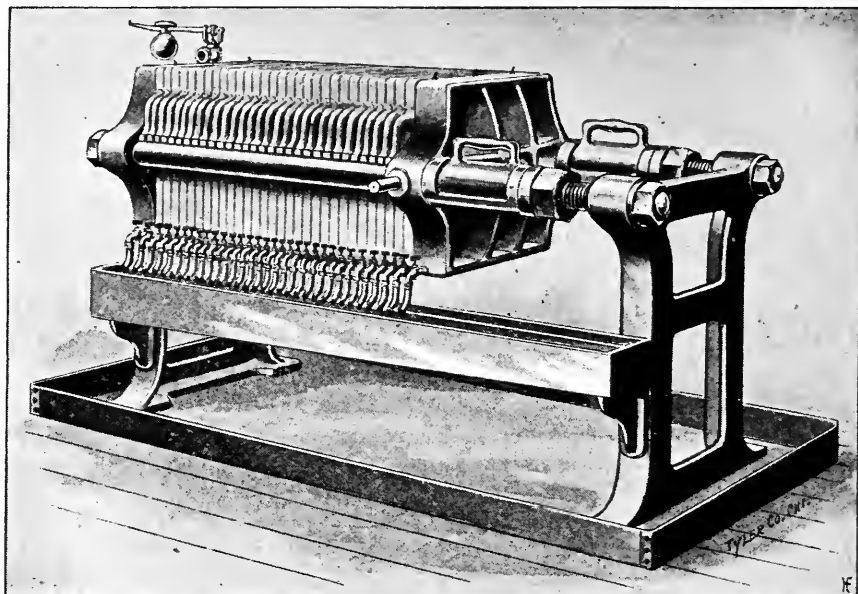
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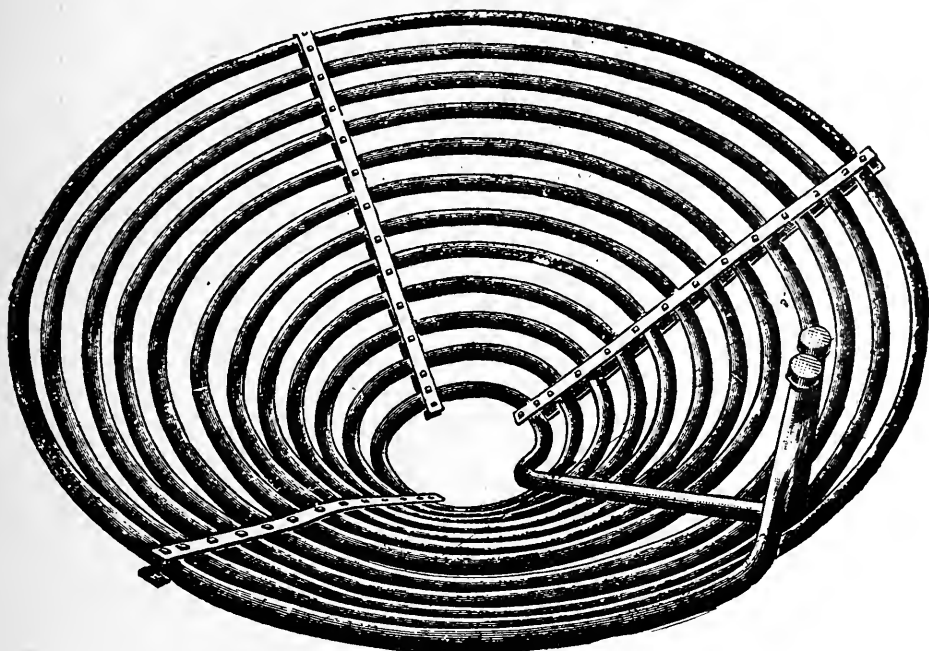
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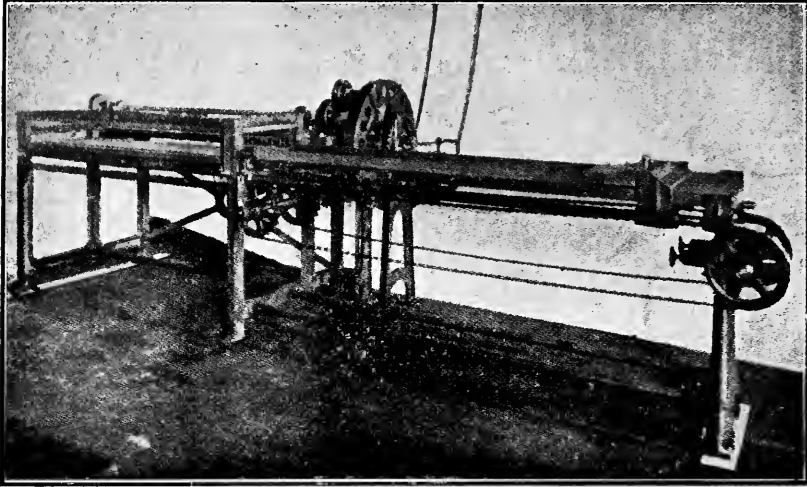
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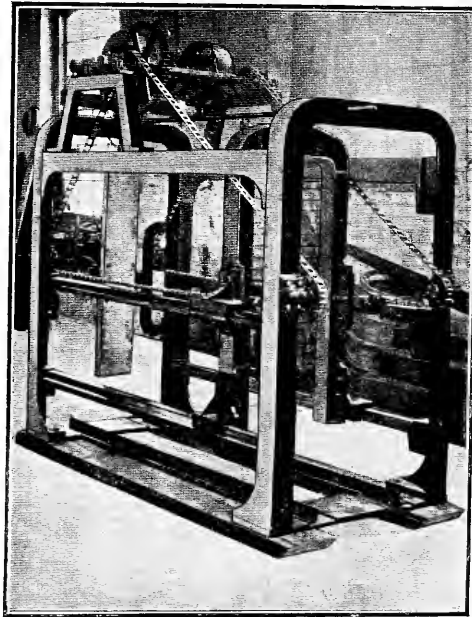
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